Annual Report
2000 – 2001

Legal Services Society

British Columbia
http://www.vcn.bc.ca/lssbc/

© 2001 Legal Services Society, BC

Writer: Sandy Shreve
Editor: Maggie Quirt
Graphic Designer: Denise Tremblay

Project Co-ordinator: Sandy Shreve
Publishing Co-ordinator: Candice Lee
Distribution Co-ordinator: Sandy Porter

This is a publication of the Legal Services Society (LSS). LSS is a non-government organization that provides legal aid to eligible applicants and legal information and education to all British Columbians. LSS provides these services through offices across BC, with the participation of private bar lawyers. LSS is funded by the provincial government, the Law Foundation, the Notary Foundation, and, indirectly, the federal government.

For copies of the *Annual Report 2000 – 2001*, write to:

Distribution
Legal Services Society
1500 – 1140 W. Pender Street
Vancouver, BC V6E 4G1

E-mail: ho.distribution@lss.bc.ca
Web site: http://www.vcn.bc.ca/lssbc/

British Columbia Cataloguing in Publication Data

Legal Services Society of British Columbia.
Annual report. – 1979/80 –
Annual Report year ends March 31.
Continues: British Columbia. Legal Services Commission. Annual report. ISSN 0709-3799
ISSN 0713-0651=Annual report - British Columbia Legal Services Society.
1. Legal Services Society of British Columbia - Periodicals.
2. Legal services - British Columbia - Periodicals.
3. Legal aid - British Columbia - Periodicals.

KEB160.A72L43 354.711008'8 Rev. Nov. 1992

102-00345/

Contents

Message from the Chair and CEO 1
Mandate 3
Board of Directors 4
Senior Management 5
Report on the *Business Plan 2000 – 2001* 6
Part A: Mandate and service delivery 6
Service changes 6
Service improvements 7
Aboriginal access to justice services 7
Law reform 9
Improved public legal education services 10
Self-help 11
Mediation 13
Service delivery 13
Information technology 13
Part B: Quality assurance 14
Improved services to clients 14
Improved field office and head office operations 14
Improved administrative service delivery 15
Part C: Human resources 16
Staff development 16
Enhanced communications with private bar lawyers 16
Part D: Finances 17
Recovering expenses 17
Alternative sources of revenue 18
Operational efficiency 18
Financial Report 2000 – 2001 20
Revenues 20
Expenditures 20
Financial Statements 2000 – 2001 24
Appendix 1: Structure 33
Appendix 2: Coverage 37
Appendix 3: Public Legal Education and Information 40
Appendix 4: Tariffs 43
Appendix 5: Financial Eligibility and Client Contributions 44
Appendix 6: Coverage and Eligibility Reviews 46
Appendix 7: Client Confidentiality 46
Appendix 8: Complaints 47
Appendix 9: Application and Referral Statistics 48
Legal Aid Offices by Region 54
Map of BC Offices ..... back cover

Message from the Chair and CEO

This fiscal year began and ended with good news for legal aid clients.

In April 2000, the Legal Services Society (LSS or the Society) raised its financial eligibility levels. And in March 2001, a six-year funding freeze came to an end when the government announced a $6.8 million increase in the Society's base budget for the coming year, thus avoiding the need for cuts in services.

LSS obtained additional grants from a variety of sources this year, which resulted in restoring, improving, and/or expanding some services. For example —

- a $1.4 million provincial government grant funded out-of-custody duty counsel services and the tariff for arraignment court processes. Lack of funding had earlier forced LSS to cut duty counsel for out-of-custody accused; with this grant the service was restored in fall 2000.
- a $500,000 Law Foundation of BC grant allowed staff to start work on special Aboriginal projects such as a cross-cultural awareness program and a child welfare public legal education initiative. The grant also supported several other projects such as improving access to legal information for non-English speakers, expanding self-help and support for self-represented litigants, and beginning innovative work on quality assurance programs for tariff services.

The most visible work done by staff consists of deciding applicants' eligibility for legal aid, making referrals, and providing legal information, advice, and representation. However, a great deal of what it takes to do that work effectively comes from efforts "behind the scenes." Throughout the year, management and staff made considerable progress in this area. Their efforts ranged from developing poverty law policies and standards, and consulting with under-served communities to determine what new services are most needed and how best to deliver them, to clearing a serious backlog of accounts and reducing delays in payments. Management and staff also worked on a legislative amendment that would allow LSS to place liens on property, thus permitting the Society to secure repayment of tariff expenditures where appropriate (see page 17).

The first part of this year's annual report summarizes the progress LSS made on all its business plan initiatives and special projects during the year, including those referred to above. This is followed by a financial report outlining some of the major changes in expenditures this year as compared to 1999 – 2000. Descriptions of our programs, information on certain developments that took place during this fiscal year, and detailed service statistics are provided in a series of appendices. This structure is somewhat different from previous annual reports, and was implemented to meet the requirements of the provincial government's Budget Transparency and Accountability Act.

As the financial report shows, the Society closed the year with a small surplus and reduced its accumulated deficit to $6.6 million. Normally, it's unqualified "good news" when an institution is fiscally responsible. However, when a program such as legal aid is inadequately funded year after year, the cost of fiscal management is borne one way or another by the people who need its services. This was most clearly illustrated by two studies released in October 2000 — one by the Law Society of BC and the other by the Women's Access to Legal Services Coalition. Both studies point to a serious crisis, particularly in family law, that has worsened since service cuts had to be implemented in 1997 so the Society could balance its budget.

As well, staff salaries and fees for experts' reports have fallen below those paid by government. The tariffs remain similarly

inadequate. Consequently, LSS is finding it more and more difficult to recruit and retain staff, and fewer lawyers are willing to take legal aid referrals because they cannot afford to subsidize the costs involved in properly representing clients.

LSS faces considerable challenges as it works toward solving as many of these problems as possible. There is no doubt that increased funding will go a long way toward helping us achieve our goals — indeed without it we would have faced a further erosion to services. LSS is grateful to many individuals and organizations who worked hard to help the Society obtain an increase in government funding. In particular, the Law Society of BC, Canadian Bar Association, BC Branch, Access to Justice Coalition, BC Association of Community Law Offices (BCACLO), Native Community Law Offices Association of BC (NCLOABC), and the Women's Access to Legal Services Coalition lobbied hard for this increase over the past several years. Their work and commitment to legal aid is greatly appreciated.

LSS is also grateful to the Law Foundation of BC for providing substantial project grants that enabled the Society to undertake specific initiatives throughout the year.

As always, LSS could not help clients without the expertise of its staff, community advocates, and the private bar lawyers who take legal aid referrals. Many continue with this work out of a deep dedication to justice for all and in spite of inadequate remuneration for their services. Our heartfelt thanks go to each and every one of them.

Throughout the period under review, LSS has appreciated the ongoing funding support of the Ministry of Attorney General, the Law Foundation, and the Notary Foundation.

Sandi Tremblay
Chair

David S. Duncan
Chief Executive Officer and Executive Director

Mandate

The Legal Services Society Act sets out a twofold mandate for LSS: to provide legal representation for eligible applicants and legal education for the people of British Columbia. This mandate is contained in Section 3 of the act, which states that:

---

(1) The objects of the society are to ensure that

(a) services ordinarily provided by a lawyer are afforded to individuals who would not otherwise receive them because of financial or other reasons, and

(b) education, advice and information about law are provided for the people of British Columbia.

(2) The society must ensure, for the purposes of subsection (1) (a), that legal services are available for a qualifying individual who meets one or more of the following conditions:

(a) is a defendant in criminal proceedings that could lead to the individual's imprisonment;

(b) may be imprisoned or confined through civil proceedings;

(c) is or may be a party to a proceeding respecting a domestic dispute that affects the individual's physical or mental safety or health or that of the individual's children;

(d) has a legal problem that threatens

(i) the individual's family's physical or mental safety or health,

(ii) the individual's ability to feed, clothe and provide shelter for himself or herself and the individual's dependents, or

(iii) the individual's livelihood.

Edgar Hall (left), past member of the Westminster Community Legal Services Society Board of Directors, with Bev Longstaff, Legal Information Counsellor, at the opening of the new office in New Westminster (April 2000). *Photograph by Roseanne McKenna.*

Board of Directors

LSS was created in 1979 by the Legal Services Society Act, which merged the Legal Aid Society and the Legal Services Commission. LSS is an independent, non-profit organization managed by a 15-member Board of Directors. The Lieutenant-Governor in Council, on the recommendation of the Attorney General, appoints five directors, of whom no more than three can be lawyers. The Law Society of British Columbia, after consulting with the Canadian Bar Association, BC Branch, appoints five directors. The BCACLO and the NCLOABC appoint two directors each and one jointly.

Board members as of March 31, 2001 were:

Appointed by the Lieutenant-Governor in Council

Kathleen Cook (Lac La Hache)
John Ewens (North Vancouver)
Bruce Hardy (Vancouver)
Mary McGrath, Q.C. (Sydney)
Rashpal (Palo) K. Sall (Port Alberni)

Appointed by the Law Society of British Columbia

Pinder Cheema (Victoria)
D. Geoffrey G. Cowper, Q.C. (Vancouver)
Grant J. Gray (Port Coquitlam)
Kenneth J. Learn (Burnaby)
Barbara J. Yates, Q.C. (Victoria)

Appointed by the BCACLO and NCLOABC

Scott Clark (Vancouver)
– from January 2001
Judith Doulis (Vancouver)
Harold Morin (Prince George)
– to December 2000
Leonie Rivers (North Vancouver)
Rosalee Tizya (Vancouver)
Sandi Tremblay, Chair (Powell River)

Committees

Standing board committees are: Alternate Resource and Revenue, Conflict of Interest, Core Services/Public Legal Education/Governance, Executive, Finance, Media, Native Services, Personnel, Quality Assurance, Strategic Planning, and Tariffs (criminal, family, and immigration).

A board director chairs each tariff committee, with committee members chosen from the private bar. At committee meetings, private bar lawyers provide valuable input on the structure, form, and content of the tariffs, as well as on coverage and eligibility issues.

Senior Management

The Board of Directors appoints a Chief Executive Officer/Executive Director (CEO) to supervise, manage, and administer the business of the Society. The CEO chairs the Society's Executive Management Committee (EMC), which oversees the management of the Society in accordance with the LSS Act and the Society's mission statement, strategic goals, and policies. The committee develops the Society's policies, budget, and business plan; implements new initiatives or other changes to the business plan; makes decisions on emergency issues; responds or co-ordinates responses to board and board committee requests; co-ordinates grant applications to external agencies; and approves staffing decisions.

As of March 31, 2001, members of EMC were:

- David S. Duncan, Chief Executive Officer/Executive Director
- Susan Poulos, Deputy Executive Director
- Mark Benton, Director, Tariff; Director, Appeals
- Harold V. J. Clark, Director, Human Resources
- David H. Govett, Director, Information Technology
- Catherine McNeil, Director, Finance and Administration
- Lucette Kinbach, Executive Assistant to the CEO (recorder)

The Operations Management Team (OMT) manages the day-to-day operations of the Society in accordance with the LSS Act and the Society's mission statement, strategic goals, and policies as established by the Board of Directors and EMC. This committee co-ordinates inter-departmental communications and initiatives and forwards recommended policy changes to EMC. OMT also participates in the development of the LSS business plan and operational and administrative policies.

As of March 31, 2001, members of OMT were:

- James Deitch (co-chair), Manager, Tariff Services
- Wayne Robertson (co-chair), Client Services Manager – Branches
- Kerry Bentley, Controller
- Anne Beveridge, Client Services Manager – Community Law Offices
- Joel Chamaschuk, Manager, Information Technology
- Robert Cherniack, Manager, Native Programs
- Noreen Finnerty, Manager, Human Resources
- David Griffiths, Vancouver Regional Director
- Nancy Hannum, Chief Librarian; Manager, Legal Resource Centre
- Heidi Mason, Client Services Manager – Branches
- Carol McEown, Director, Legal Information Services
- Pat Nelson, Manager, Training and Development
- Janice Staryk, Manager, Tariff Operations
- Eugene Wandell, Manager, Financial Reporting and Budgets
- Camia Weaver, Client Services Manager – Native Community Law Offices
- Wendy Rausch, Executive Assistant, Information Technology (recorder)

Report on the *Business Plan* 2000–2001

The following pages outline the progress LSS made this year toward fulfilling its 2000 – 2001 business plan initiatives. Much of this was accomplished on top of the Society's day-to-day work, which includes assessing applications for legal aid, referring qualified applicants to lawyers, and providing legal advice and information to British Columbians. These core services are described in the appendices to this annual report.

With the help of substantial project grants from the Law Foundation of BC, the Society laid the groundwork for providing new services for Aboriginal communities, expanding family law information services, and enhancing quality assurance processes. As well, a one-time provincial government grant received part-way through the year enabled LSS to restore duty counsel services to out-of-custody accused. Other grants helped the Society meet some of its public legal education goals.

Despite these accomplishments, a number of circumstances beyond the Society's control slowed progress in certain areas. For example, as a result of the new Budget Transparency and Accountability Act (BTAA), senior managers had to change various procedures to give the provincial government more performance reporting and financial information earlier in the fiscal year. This in turn diverted efforts away from other projects. In addition, the Society's core funding from the provincial government has been frozen for the past six years. Consequently, LSS staff salaries have fallen significantly behind wages paid for the same work in government and elsewhere, making it increasingly difficult to attract and keep qualified staff. Because of this, work on some initiatives had to be postponed.

The report below can be reviewed independently or with the LSS *Business Plan 2000 – 2001*. Each goal is identified, but details included in the plan are not necessarily reiterated. The focus here is on the Society's progress on the "outputs" of each business plan initiative.

Part A: Mandate and service delivery

Goal 1 Ensure, within the limits of available funding, that services are provided in each area of law covered in our mandate.

Service changes

A1.1: Reallocation of duty counsel resources

From April through September 2000, duty counsel services in most BC provincial criminal courts were available only to accused people being held in custody. This reduction in service was put into effect because the available budget for private bar lawyers' duty counsel work was insufficient to cover both in-custody and out-of-custody clients.

In June 2000, the provincial government gave the Society a $650,000 grant to provide duty counsel services to out-of-custody people attending initial appearance court. With this funding, the Society was able to restore these services from the fall through to the end of the fiscal year. An increase to the Society's funding for 2001 – 2002, announced by the provincial government in March 2001, will enable LSS to continue providing these services.

Previous years' statistics on duty counsel services for people in custody indicated there were inequities in the Society's funding for various court locations. This year, LSS made a number of adjustments to correct these disparities on an interim basis. Duty counsel lawyers were encouraged to submit requests for extra fees if their funding was inadequate to meet the service requirements for everyone held in custody. The Tariff Department collected data from duty counsel billings and extra fee requests, which will be analyzed after

year-end to determine whether further adjustments to funding are necessary. If so, changes will be implemented in the 2001 – 2002 fiscal year.

Throughout the year, the Society worked with courts, judges, the Crown, and local court user committees to promote local solutions to complaints and concerns regarding the duty counsel system.

Service improvements

A1.2: Increase financial eligibility guidelines

Effective April 1, 2000, LSS raised the financial eligibility limits for legal aid applicants. This was intended to restore services to about 1,200 clients — an estimated 780 more criminal cases and 412 more family cases (based on an analysis of previous years' application and referral volumes, and assuming everything else remained constant).

During the 2000 – 2001 fiscal year, however, applications for legal aid for criminal cases declined by 2,696, while applications for legal aid for family cases increased by 831. In addition, family and CFCSA referrals increased — the latter likely in response to an increase in the government's caseload. Overall, criminal referrals declined by 1,634 and family referrals increased by 1,698.

Volume changes are difficult to predict with accuracy because so many variables affect the demand for legal aid. Furthermore, it is difficult to isolate the effects of one variation in volume when other factors have also changed. This is particularly true for family cases. Changes to services (such as the restoration of some coverage for variations in 1999 – 2000) and financial eligibility can change people's expectations and thus influence whether they apply for assistance. If eligibility levels are raised and/or services are expanded, more people believe they can qualify for legal aid, and are therefore encouraged to apply.

Goal 2 Work together with Aboriginal people to develop and promote innovative methods to deliver legal services to Aboriginal people and their communities.

Aboriginal access to justice services

A2.1: Expansion of services to Aboriginal clients in the Vancouver downtown eastside

Early in the fiscal year, LSS hired an Aboriginal lawyer as managing and poverty lawyer for the Vancouver Aboriginal Law Centre (VALC). Aboriginal support staff were also hired, and the centre became an independent branch office. Staff undertook a variety of activities to raise VALC's profile in the Aboriginal community, starting with an open house on Aboriginal Day in June. During the year, staff met with representatives from non-profit organizations and LSS offices to determine what legal issues affecting Aboriginal people require attention, and to advertise VALC's services. As well, a program with Lord Byng Secondary School was established. In this initiative, two grade 11 students per year will have the opportunity to participate in a one-week orientation session with the centre to see what a poverty law clinic does. At year-end, VALC and other community agencies organized a public forum where a number of people met to discuss common concerns, access legal information on a variety of issues, and develop networking systems.

VALC staff developed ties with the Vancouver Aboriginal Transformative Justice Services Program (VATJSP) and increased efforts to divert appropriate Aboriginal offenders from the mainstream system to culturally appropriate programs. In March 2001, the VATJSP honoured VALC and a number of other agencies and volunteers with certificates of appreciation for their dedication and hard work.

In the next fiscal year, the centre will establish an advisory committee, research the possibility of providing a free afternoon clinic,

Report on the *Business Plan* 2000 – 2001

The following pages outline the progress LSS made this year toward fulfilling its 2000 – 2001 business plan initiatives. Much of this was accomplished on top of the Society's day-to-day work, which includes assessing applications for legal aid, referring qualified applicants to lawyers, and providing legal advice and information to British Columbians. These core services are described in the appendices to this annual report.

With the help of substantial project grants from the Law Foundation of BC, the Society laid the groundwork for providing new services for Aboriginal communities, expanding family law information services, and enhancing quality assurance processes. As well, a one-time provincial government grant received part-way through the year enabled LSS to restore duty counsel services to out-of-custody accused. Other grants helped the Society meet some of its public legal education goals.

Despite these accomplishments, a number of circumstances beyond the Society's control slowed progress in certain areas. For example, as a result of the new Budget Transparency and Accountability Act (BTAA), senior managers had to change various procedures to give the provincial government more performance reporting and financial information earlier in the fiscal year. This in turn diverted efforts away from other projects. In addition, the Society's core funding from the provincial government has been frozen for the past six years. Consequently, LSS staff salaries have fallen significantly behind wages paid for the same work in government and elsewhere, making it increasingly difficult to attract and keep qualified staff. Because of this, work on some initiatives had to be postponed.

The report below can be reviewed independently or with the LSS *Business Plan 2000 – 2001*. Each goal is identified, but details included in the plan are not necessarily reiterated. The focus here is on the Society's progress on the "outputs" of each business plan initiative.

Part A: Mandate and service delivery

Goal 1 Ensure, within the limits of available funding, that services are provided in each area of law covered in our mandate.

Service changes

A1.1: Reallocation of duty counsel resources

From April through September 2000, duty counsel services in most BC provincial criminal courts were available only to accused people being held in custody. This reduction in service was put into effect because the available budget for private bar lawyers' duty counsel work was insufficient to cover both in-custody and out-of-custody clients.

In June 2000, the provincial government gave the Society a $650,000 grant to provide duty counsel services to out-of-custody people attending initial appearance court. With this funding, the Society was able to restore these services from the fall through to the end of the fiscal year. An increase to the Society's funding for 2001 – 2002, announced by the provincial government in March 2001, will enable LSS to continue providing these services.

Previous years' statistics on duty counsel services for people in custody indicated there were inequities in the Society's funding for various court locations. This year, LSS made a number of adjustments to correct these disparities on an interim basis. Duty counsel lawyers were encouraged to submit requests for extra fees if their funding was inadequate to meet the service requirements for everyone held in custody. The Tariff Department collected data from duty counsel billings and extra fee requests, which will be analyzed after

year-end to determine whether further adjustments to funding are necessary. If so, changes will be implemented in the 2001 – 2002 fiscal year.

Throughout the year, the Society worked with courts, judges, the Crown, and local court user committees to promote local solutions to complaints and concerns regarding the duty counsel system.

Service improvements

A1.2: Increase financial eligibility guidelines

Effective April 1, 2000, LSS raised the financial eligibility limits for legal aid applicants. This was intended to restore services to about 1,200 clients — an estimated 780 more criminal cases and 412 more family cases (based on an analysis of previous years' application and referral volumes, and assuming everything else remained constant).

During the 2000 – 2001 fiscal year, however, applications for legal aid for criminal cases declined by 2,696, while applications for legal aid for family cases increased by 831. In addition, family and CFCSA referrals increased — the latter likely in response to an increase in the government's caseload. Overall, criminal referrals declined by 1,634 and family referrals increased by 1,698.

Volume changes are difficult to predict with accuracy because so many variables affect the demand for legal aid. Furthermore, it is difficult to isolate the effects of one variation in volume when other factors have also changed. This is particularly true for family cases. Changes to services (such as the restoration of some coverage for variations in 1999 – 2000) and financial eligibility can change people's expectations and thus influence whether they apply for assistance. If eligibility levels are raised and/or services are expanded, more people believe they can qualify for legal aid, and are therefore encouraged to apply.

Goal 2 Work together with Aboriginal people to develop and promote innovative methods to deliver legal services to Aboriginal people and their communities.

Aboriginal access to justice services

A2.1: Expansion of services to Aboriginal clients in the Vancouver downtown eastside

Early in the fiscal year, LSS hired an Aboriginal lawyer as managing and poverty lawyer for the Vancouver Aboriginal Law Centre (VALC). Aboriginal support staff were also hired, and the centre became an independent branch office. Staff undertook a variety of activities to raise VALC's profile in the Aboriginal community, starting with an open house on Aboriginal Day in June. During the year, staff met with representatives from non-profit organizations and LSS offices to determine what legal issues affecting Aboriginal people require attention, and to advertise VALC's services. As well, a program with Lord Byng Secondary School was established. In this initiative, two grade 11 students per year will have the opportunity to participate in a one-week orientation session with the centre to see what a poverty law clinic does. At year-end, VALC and other community agencies organized a public forum where a number of people met to discuss common concerns, access legal information on a variety of issues, and develop networking systems.

VALC staff developed ties with the Vancouver Aboriginal Transformative Justice Services Program (VATJSP) and increased efforts to divert appropriate Aboriginal offenders from the mainstream system to culturally appropriate programs. In March 2001, the VATJSP honoured VALC and a number of other agencies and volunteers with certificates of appreciation for their dedication and hard work.

In the next fiscal year, the centre will establish an advisory committee, research the possibility of providing a free afternoon clinic,

and give public legal education presentations in the downtown eastside.

A2.2: New services to under-served areas of the province

For several years, LSS has used the results of a resource allocation study to identify relatively under-served areas of the province.

This year a community outreach project was conducted to determine how LSS might best serve the needs of mid-Vancouver Island Aboriginal communities. Project leaders working out of the Doug Traill Memorial Law Centre in Nanaimo met with a number of individuals and community organizations. These included First Nations teaching assistants, native courtworkers in Duncan and Port Alberni, the Métis Society, the K'op Thut Society, First Nations in the area, native community law offices, and the Tillicum House Friendship Centre in Nanaimo. A report on the project's findings is expected early in the new fiscal year. LSS will review the recommendations in this report to determine what services can be provided for this area. In the meantime, additional information is being provided to members of First Nations and community groups to increase awareness of legal rights and issues.

In the Fraser Valley, Mission has been identified as an area with a high percentage of Aboriginal residents who are being under-served. Working with staff at the Chilliwack and Abbotsford offices, LSS began to investigate Mission's needs as a starting point for increasing and improving legal services in the area. It soon became evident that a more thorough review of the community's needs is required, involving contact with local community groups and Aboriginal bands. By fiscal year-end, the Society was in the process of drawing up a contract for an independent consultant to undertake this review.

A2.3: Restorative justice co-ordinator

In 2000 – 2001, LSS planned to hire a provincial co-ordinator on a one-year contract to work with the various restorative justice programs developed through the assistance of the Society's Native Programs Department. Funding for the position came from a $70,000 Law Foundation grant that covered all costs associated with the project, including salary, travel, and community meeting expenses. Late in the fiscal year, responsibility for this program was transferred to the NCLOABC.

This project was the responsibility of the Manager, Native Programs Department. For a number of years, the manager was instrumental in brokering funding with the federal and provincial governments for selected NCLOs to support their restorative justice programs (see Appendix 1). The manager also worked closely with the local Aboriginal communities involved in restorative justice initiatives and chaired the Advisory Group for the VATJSP. In fall 2000, the manager resigned his position with LSS to take up the role of co-ordinator with the NCLOABC. Because he takes with him the necessary expertise for this initiative, he will continue the project through the NCLOABC (with the Law Foundation funding).

Before the project moved to the NCLOABC, it had become clear that it would be difficult to bring a new person into several restorative justice programs at various stages of development, and that funding could best be used at the implementation and operation stages of project development. Recruitment and hiring of the co-ordinator were therefore delayed, and additional funding was sought from the Law Foundation to make this a two-year position.

A2.4: Child welfare support initiative on reserves

In 2000 – 2001, the Client Services and Native Programs Departments began to develop a training package for advocates working on child apprehension issues in Aboriginal communities. Funded by a $70,000 Law Foundation grant, the project is designed to address gaps in services and to promote preventative or diversionary public legal education and community advocate training services. This in turn will help advocates successfully resolve family matters before they are referred to Ministry for Children and

Families social workers. Once the training material is completed it will be piloted in at least two communities.

Because of the many demands on the Native Programs Department, this project did not begin until late in the year. Obtaining meaningful results from the pilot project will require two years. The Law Foundation grant will be carried over to 2001 – 2002, and work on the project will continue throughout the next fiscal year.

A2.5: Cross-cultural awareness

The LSS cross-cultural training program began this year with Aboriginal awareness training sessions for members of the Board of Directors at their annual fall retreat, and for legal information counsellors/paralegals at their March conference. This training is designed to increase awareness of, and sensitivity to, the unique legal situation of Aboriginal people, and help LSS staff design and deliver programs to best meet the needs of First Nations communities. Aboriginal awareness training sessions for front-line staff will be completed by June 2002.

Half-day cultural diversity sessions were included in this year's training workshops for intake staff, legal information counsellors/paralegals, and managers. These sessions were designed to increase understanding of the value of diversity and the harm of stereotyping. Most sessions for other staff at head office, branches, community law offices, and native community law offices will be completed by July 2001.

This initiative is funded by a $50,000 Law Foundation grant

A2.6: New funding for Aboriginal public legal education projects

(addition to the business plan)

The Native Programs Department was able to support three public legal education projects in Aboriginal communities using a $10,000 Law Foundation grant. This was in addition to projects that the department supports through core funding (see Appendix 3).

The Tl'azt'en Nation Youth Project received $3,000 to deliver a two-day workshop for selected youths who are at high risk of entering the criminal justice system. This was held in the small village of Tache.

The Whe-La-La U Area Council received $4,000 to work on violence prevention in its community. This community is home to five bands that were relocated to Alert Bay in the early 1970s by the Department of Indian and Northern Affairs.

The Pacific Métis Federation of Women received a $3,000 grant to produce a calendar and hold community workshops focusing on legal issues concerning women and youths.

Goal 3 Establish a regular review process to identify common legal issues among groups of client cases in order to advance test cases and advocate law reform that will benefit our clients.

Law reform

Poverty Law Reform Committee

The Poverty Law Reform Committee developed and distributed a questionnaire to gather information about each legal aid office's law reform activities and identify community priorities. In fall 2000, a paralegal at the Doug Traill Memorial Law Centre provided additional support one day a week, and the questionnaire responses were consolidated.

The committee held a pivotal conference in February 2001 to review the questionnaire results and develop a work plan for the coming year (see photo, page 10). Members examined how to —

- put in place an effective network to identify poverty law reform needs on an ongoing basis,
- determine the best method of following through on these needs (e.g., through test case litigation, submissions to government, etc.), and
- decide who should carry out the work.

Families social workers. Once the training material is completed it will be piloted in at least two communities.

Because of the many demands on the Native Programs Department, this project did not begin until late in the year. Obtaining meaningful results from the pilot project will require two years. The Law Foundation grant will be carried over to 2001 – 2002, and work on the project will continue throughout the next fiscal year.

A2.5: Cross-cultural awareness

The LSS cross-cultural training program began this year with Aboriginal awareness training sessions for members of the Board of Directors at their annual fall retreat, and for legal information counsellors/paralegals at their March conference. This training is designed to increase awareness of, and sensitivity to, the unique legal situation of Aboriginal people, and help LSS staff design and deliver programs to best meet the needs of First Nations communities. Aboriginal awareness training sessions for front-line staff will be completed by June 2002.

Half-day cultural diversity sessions were included in this year's training workshops for intake staff, legal information counsellors/paralegals, and managers. These sessions were designed to increase understanding of the value of diversity and the harm of stereotyping. Most sessions for other staff at head office, branches, community law offices, and native community law offices will be completed by July 2001.

This initiative is funded by a $50,000 Law Foundation grant

A2.6: New funding for Aboriginal public legal education projects

(addition to the business plan)

The Native Programs Department was able to support three public legal education projects in Aboriginal communities using a $10,000 Law Foundation grant. This was in addition to projects that the department supports through core funding (see Appendix 3).

The Tl'azt'en Nation Youth Project received $3,000 to deliver a two-day workshop for selected youths who are at high risk of entering the criminal justice system. This was held in the small village of Tache.

The Whe-La-La U Area Council received $4,000 to work on violence prevention in its community. This community is home to five bands that were relocated to Alert Bay in the early 1970s by the Department of Indian and Northern Affairs.

The Pacific Métis Federation of Women received a $3,000 grant to produce a calendar and hold community workshops focusing on legal issues concerning women and youths.

Goal 3 Establish a regular review process to identify common legal issues among groups of client cases in order to advance test cases and advocate law reform that will benefit our clients.

Law reform

Poverty Law Reform Committee

The Poverty Law Reform Committee developed and distributed a questionnaire to gather information about each legal aid office's law reform activities and identify community priorities. In fall 2000, a paralegal at the Doug Traill Memorial Law Centre provided additional support one day a week, and the questionnaire responses were consolidated.

The committee held a pivotal conference in February 2001 to review the questionnaire results and develop a work plan for the coming year (see photo, page 10). Members examined how to —

- put in place an effective network to identify poverty law reform needs on an ongoing basis,
- determine the best method of following through on these needs (e.g., through test case litigation, submissions to government, etc.), and
- decide who should carry out the work.

Poverty Law Reform Committee members at the February 2001 conference. Shown from left to right are, in the back row: PLE Fieldworker Eduardo Aragon (Vancouver), and Staff Lawyers Kathleen Kendall (Kamloops), Denice Barrie (Nanaimo), and Carol Pakkala (Cranbrook); and, in the front row: Staff Lawyers Carol Rosset (with dog Kyla, Vancouver) and Dennis Morgan (Campbell River), Paralegal Diane Brennan (Nanaimo), Client Services Manager Anne Beveridge (Vancouver), and Legal Information Counsellor Ellen Boyes (Abbotsford). *Photograph by Jamie Brennan.*

Prince George Housing Coalition members set up 77 "houses" on the city hall lawn to represent the portion of households that spend 30 - 49% (yellow) or more than 50% (red) of their income on rent. From left to right are: Shirley Gratton, City Councillor; Victoria Lambert, CHI - Regional Housing Centre; Lois Boone, MLA; and Laura Way, LSS Poverty Paralegal. *Photograph by Jayleen Philps.*

Goal 4 Preserve our current support of public legal education programs to help individuals and groups identify and avoid, or resolve, legal problems.

Improved public legal education services

A4.1: LSS Web site

This initiative is tied closely to the Intranet business strategy developed by the Information Technology Department (see A8.1). With the new web infrastructure in place, resources can be added to the Society's site beginning next fiscal year.

In the meantime, the Publishing Program worked with Surrey staff to develop a prototype branch office Web site that provides current information about local services and events. The Surrey Legal Services site (http://www.vcn.bc.ca/lssbc/surrey) will be launched in early April. Pages for eight additional offices will be added throughout the next fiscal year.

A4.2: Electronic Law Library search engine upgrade and addition of site map

"The Electronic Law Library is my favourite site on the Web, and the first one I always demonstrate to staff being trained." - Barbara Emerson, Librarian, Clearbrook Library

This initiative was substantially completed by fiscal year-end. The Electronic Law Library site (see Appendix 3) was upgraded and redesigned, and search engine software was installed. As a result, the site will be more accessible and easier for the public and LSS staff to search by keyword and subject. A $5,000 Law Foundation grant paid for most of the cost of hiring an independent contractor to do this work.

A4.3: Access to legal information for non-English speakers

With $13,000 funding from the Law Foundation and $15,000 funding from LSS, key sections of the Society's most popular publication, *When I'm 64: A Guide to Benefits and Services for People Aged 60 and Over*, will be translated into seven languages — Chinese, Punjabi, Hindi, Spanish, Farsi, Korean, and Japanese.

Focus groups were held with community service providers and potential users in the top 16 language groups in the province. These sessions helped to identify whether information from this 90-page publication was needed in specific languages and if so, what sections of the booklet were most relevant. Content will vary from one language to another, but some subjects, such as old age security, housing, and BC Benefits, will be included in all seven adaptations. Initially, these translations were planned as fact sheets; however, research has since shown that small booklets will be more useful.

The research phase of this initiative took six months to complete. It is estimated that another year will be required to carry out the necessary writing, editing, legal checking, field testing, designing, and printing for this project.

Conducted by an external contractor, the focus group research resulted in a valuable model to use in identifying information needs in languages other than English. As well, it became clear that this kind of project requires a budget of at least $35,000 and well over a year to complete. LSS core funding will cover the additional funds required for this initiative.

A4.4: New field office public legal education projects (addition to the business plan)

The LSS Board of Directors set aside special funding for one-time field office public legal education initiatives. This joint project of the Client Services and Legal Information Services Departments was in addition to grants ordinarily funded through the Public Legal Education Program (see Appendix 3).

An assessment committee, which included members of the board's Core Services Committee, reviewed all funding requests. It approved $124,000 in grants that supported 33 projects undertaken by offices across the province. Initiatives ranged from participating in Housing Week 2000 in Prince George (designed to raise public awareness of the various housing issues in the city — see photo, page 10) and supporting the Seasonal Workers' Project in Abbotsford, to producing flyers and posters about LSS services in languages other than English and updating the *Small Claims Court Fact Sheets* on the Law Centre (Victoria) Web site (http://www.thelawcentre.ca).

Goal 5 Increase the capacity of offices, community information agencies, and advocacy services to provide people with current information and self-help materials in those areas of law where legal representation services have been reduced.

Self-help

A5.1: PovNet leadership and support

LSS continued to support PovNet with the help of a $49,000 Law Foundation grant. This year PovNet experienced huge growth in its database content and in the use of its services.

PovNet maintains electronic discussion groups on five topics: BC Benefits, Workers' Compensation, Employment Insurance, mental health, and housing. In 2000 – 2001, up to 300 advocates from LSS and community organizations participated in these groups. This was significantly more than PovNet's objective of exceeding 200 participants. Through these electronic discussion groups, PovNet is taking advantage of the Internet to strengthen the anti-poverty network in BC.

During the year, BC Benefits full text submissions and Residential Tenancy Act data were included in the PovNet database. As well, a BC Benefits tool kit was added, consisting of

Poverty Law Reform Committee members at the February 2001 conference. Shown from left to right are, in the back row: PLE Fieldworker Eduardo Aragón (Vancouver), and Staff Lawyers Kathleen Kendall (Kamloops), Denice Barrie (Nanaimo), and Carol Pakkala (Cranbrook); and, in the front row: Staff Lawyers Carol Rosset (with dog Kyla, Vancouver) and Dennis Morgan (Campbell River), Paralegal Diane Brennan (Nanaimo), Client Services Manager Anne Beveridge (Vancouver), and Legal Information Counsellor Ellen Boyes (Abbotsford). *Photograph by Jamie Brennan.*

Prince George Housing Coalition members set up 77 "houses" on the city hall lawn to represent the portion of households that spend 30 – 49% (yellow) or more than 50% (red) of their income on rent. From left to right are: Shirley Gratton, City Councillor; Victoria Lambert, CHI – Regional Housing Centre; Lois Boone, MLA; and Laura Way, LSS Poverty Paralegal. *Photograph by Jayleen Philps.*

Goal 4 Preserve our current support of public legal education programs to help individuals and groups identify and avoid, or resolve, legal problems.

Improved public legal education services

A4.1: LSS Web site

This initiative is tied closely to the Intranet business strategy developed by the Information Technology Department (see A8.1). With the new web infrastructure in place, resources can be added to the Society's site beginning next fiscal year.

In the meantime, the Publishing Program worked with Surrey staff to develop a prototype branch office Web site that provides current information about local services and events. The Surrey Legal Services site (http://www.vcn.bc.ca/lssbc/surrey) will be launched in early April. Pages for eight additional offices will be added throughout the next fiscal year.

A4.2: Electronic Law Library search engine upgrade and addition of site map

"The Electronic Law Library is my favourite site on the Web, and the first one I always demonstrate to staff being trained." – Barbara Emerson, Librarian, Clearbrook Library

This initiative was substantially completed by fiscal year-end. The Electronic Law Library site (see Appendix 3) was upgraded and redesigned, and search engine software was installed. As a result, the site will be more accessible and easier for the public and LSS staff to search by keyword and subject. A $5,000 Law Foundation grant paid for most of the cost of hiring an independent contractor to do this work.

A4.3: Access to legal information for non-English speakers

With $13,000 funding from the Law Foundation and $15,000 funding from LSS, key sections of the Society's most popular publication, *When I'm 64: A Guide to Benefits and Services for People Aged 60 and Over*, will be translated into seven languages — Chinese, Punjabi, Hindi, Spanish, Farsi, Korean, and Japanese.

Focus groups were held with community service providers and potential users in the top 16 language groups in the province. These sessions helped to identify whether information from this 90-page publication was needed in specific languages and if so, what sections of the booklet were most relevant. Content will vary from one language to another, but some subjects, such as old age security, housing, and BC Benefits, will be included in all seven adaptations. Initially, these translations were planned as fact sheets; however, research has since shown that small booklets will be more useful.

The research phase of this initiative took six months to complete. It is estimated that another year will be required to carry out the necessary writing, editing, legal checking, field testing, designing, and printing for this project.

Conducted by an external contractor, the focus group research resulted in a valuable model to use in identifying information needs in languages other than English. As well, it became clear that this kind of project requires a budget of at least $35,000 and well over a year to complete. LSS core funding will cover the additional funds required for this initiative.

A4.4: New field office public legal education projects (addition to the business plan)

The LSS Board of Directors set aside special funding for one-time field office public legal education initiatives. This joint project of the Client Services and Legal Information Services Departments was in addition to grants ordinarily funded through the Public Legal Education Program (see Appendix 3).

An assessment committee, which included members of the board's Core Services Committee, reviewed all funding requests. It approved $124,000 in grants that supported 33 projects undertaken by offices across the province. Initiatives ranged from participating in Housing Week 2000 in Prince George (designed to raise public awareness of the various housing issues in the city — see photo, page 10) and supporting the Seasonal Workers' Project in Abbotsford, to producing flyers and posters about LSS services in languages other than English and updating the *Small Claims Court Fact Sheets* on the Law Centre (Victoria) Web site (http://www.thelawcentre.ca).

Goal 5 Increase the capacity of offices, community information agencies, and advocacy services to provide people with current information and self-help materials in those areas of law where legal representation services have been reduced.

Self-help

A5.1: PovNet leadership and support

LSS continued to support PovNet with the help of a $49,000 Law Foundation grant. This year PovNet experienced huge growth in its database content and in the use of its services.

PovNet maintains electronic discussion groups on five topics: BC Benefits, Workers' Compensation, Employment Insurance, mental health, and housing. In 2000 – 2001, up to 300 advocates from LSS and community organizations participated in these groups. This was significantly more than PovNet's objective of exceeding 200 participants. Through these electronic discussion groups, PovNet is taking advantage of the Internet to strengthen the anti-poverty network in BC.

During the year, BC Benefits full text submissions and Residential Tenancy Act data were included in the PovNet database. As well, a BC Benefits tool kit was added, consisting of

an annotated index to advocacy training materials available online and from LSS.

Initially, PovNet planned to add two new "listservs" (electronic mailing lists): one for women and poverty, and one for guardianship issues. However, it was determined that these would overlap with, and therefore detract from, existing electronic mailing lists. Consequently, a new listserv on a different topic (Canada Pension Plan benefits) is being established.

An evaluation conducted this year with user groups confirmed that PovNet is meeting its goals of strengthening the advocacy network across the province and providing advocates with better access to information.

A5.2: Self-help and support for self-represented litigants

LSS continued its efforts to alleviate the difficulties faced by people who cannot afford to hire a lawyer but do not qualify for legal aid.

The Legal Information Services (LIS) Department revised two criminal law self-help publications: *If You Are Charged With A Crime* and *Speaking to the Judge Before You Are Sentenced*. A third publication, *Representing Yourself in a Criminal Trial*, will be updated in the new fiscal year. The revisions reflect changes in duty counsel and sentencing, as well as the new criminal case management rules implemented by the Ministry of Attorney General. The department also reviewed how these materials could best be distributed. It is contributing to a pilot project with the Law Courts Education Society (LCES) to provide an information service at the Vancouver criminal courts using LSS materials and LCES staff.

Considerable work was done in family law, with the help of a $50,000 Law Foundation grant and two $12,000 grants from the federal and provincial governments (see D4.1).

LIS revised the popular family law publications *If Your Marriage Breaks Up* and *Living Common-Law*. As well, two publications were posted on the Law Centre (Victoria) Web site (http://www.thelawcentre.ca): *Changing a Support Order in Family Court by Consent* and *Changing a Support Order in Family Court Where the Parties Cannot Agree*. The latter was also made available in print format. Some of the provincial and federal funding for these publications will be carried over to next fiscal year so that a series of information kits (produced by the Ministry of Attorney General and included in *Changing Support Orders in Supreme Court*) can be adapted for the Internet.

A limited referrals project to provide up to three hours of legal services was designed and is now ready to be tested by staff lawyers in four communities.

LSS consulted with community groups and stakeholders, including the Ministry of Attorney General and the Law Society of BC, to determine the most effective way of delivering family legal services to self-represented litigants. LSS then applied to the Law Foundation for $419,000 over four years to develop —

- a specific family law Web site to provide current plain language information on family law to the public — including guides on how to complete forms, as well as links to referral services — and to provide training tools, closed discussion groups, and resource lists for legal staff and other advocates; and
- a pilot study for the limited referrals project (see above) to be used in conjunction with the information on the Web site.

The funding was approved and a needs assessment and detailed framework for the project will be completed in the next fiscal year. Servers, programs, and licences will be purchased, and the site will be built and tested.

This year's funding also covered four training programs for advocates: two on child protection issues and two on procedural assistance for clients.

A5.3: Review of staff legal supervision of community organizations

The objective of this review was to develop guidelines for offices to follow when they agree to provide legal supervision to community organizations.

A Client Services Department survey of branch offices, community law offices, and

native community law offices revealed that offices participate in a variety of supervision agreements. These range from formal contracts in which staff closely supervise advocates at organizations funded by other agencies, to more informal arrangements in which advocates at volunteer agencies can call a lawyer or paralegal for advice as needed.

After consulting with key stakeholders in the new fiscal year, the department will develop guidelines for offices to follow when working with community organizations. These guidelines will outline the support and/or supervision that offices can provide, as well as expectations for offices and community groups. The guidelines will be circulated to offices for input and discussion before being finalized.

Completion of this project, originally anticipated to take two years, will depend on the workload of Client Services staff.

Goal 6 Review our services annually to identify opportunities for mediation and other dispute resolution methods within each of our mandated areas of service.

Mediation

A6.1: Use family mediation

An evaluation of the Family Justice Worker Diversion Project was completed this year. The project, implemented in 1998 – 1999 in collaboration with the Ministry of Attorney General family justice counsellors, is designed to divert appropriate family law cases into a mediation stream.

Data gathered from Family Justice Counsellor and LSS offices in six communities showed that less than half (42%) of the clients referred to the counsellors returned to LSS for further assistance. In addition, although 38% of the clients subsequently received a referral to a lawyer, the average cost per case for those files was $1,145, some $370 less than the average cost per case of other family files in the LSS system.

Goal 7 Ensure the best possible mix of service delivery models by continuously monitoring services and implementing any adjustments needed to meet changing requirements or take advantage of new opportunities.

Service delivery

A7.1: Assess and realign immigration service delivery

A three-member committee developed several discussion papers outlining the services LSS is obliged to provide to refugee claimants, and the most cost-effective method of providing those services. The papers pay particular attention to how costs might be contained in the face of an unexpected increase in applicants.

Further work on this initiative had to be postponed after two of the committee members left the Society. Work will resume next fiscal year, once new members are able to join the committee.

Goal 8 Improve access to services through optimum use of information technology.

Information technology

A8.1: Intranet business strategy, architecture, and pilot

For some years, LSS has maintained an invaluable Web site on the Internet through its Legal Information Services Department. A $35,000 Law Foundation grant this year enabled the Society to work on further developments in this area. The crucial element of this initiative — developing and piloting an Intranet system — was completed. A Web foundation strategy and architecture report was also compiled. This document identifies, and makes recommendations concerning, LSS Intranet, Extranet, and future Internet needs.

native community law offices revealed that offices participate in a variety of supervision agreements. These range from formal contracts in which staff closely supervise advocates at organizations funded by other agencies, to more informal arrangements in which advocates at volunteer agencies can call a lawyer or paralegal for advice as needed.

After consulting with key stakeholders in the new fiscal year, the department will develop guidelines for offices to follow when working with community organizations. These guidelines will outiine the support and/or supervision that offices can provide, as well as expectations for offices and community groups. The guidelines will be circulated to offices for input and discussion before being finalized.

Completion of this project, originally anticipated to take two years, will depend on the workload of Client Services staff.

Goal 6 Review our services annually to identify opportunities for mediation and other dispute resolution methods within each of our mandated areas of service.

Mediation

A6.1: Use family mediation

An evaluation of the Family Justice Worker Diversion Project was completed this year. The project, implemented in 1998 – 1999 in collaboration with the Ministry of Attorney General family justice counsellors, is designed to divert appropriate family law cases into a mediation stream.

Data gathered from Family Justice Counsellor and LSS offices in six communities showed that less than half (42%) of the clients referred to the counsellors returned to LSS for further assistance. In addition, although 38% of the clients subsequently received a referral to a lawyer, the average cost per case for those files was $1,145, some $370 less than the average cost per case of other family files in the LSS system.

Goal 7 Ensure the best possible mix of service delivery models by continuously monitoring services and implementing any adjustments needed to meet changing requirements or take advantage of new opportunities.

Service delivery

A7.1: Assess and realign immigration service delivery

A three-member committee developed several discussion papers outlining the services LSS is obliged to provide to refugee claimants, and the most cost-effective method of providing those services. The papers pay particular attention to how costs might be contained in the face of an unexpected increase in applicants.

Further work on this initiative had to be postponed after two of the committee members left the Society. Work will resume next fiscal year, once new members are able to join the committee.

Goal 8 Improve access to services through optimum use of information technology.

Information technology

A8.1: Intranet business strategy, architecture, and pilot

For some years, LSS has maintained an invaluable Web site on the Internet through its Legal Information Services Department. A $35,000 Law Foundation grant this year enabled the Society to work on further developments in this area. The crucial element of this initiative — developing and piloting an Intranet system — was completed. A Web foundation strategy and architecture report was also compiled. This document identifies, and makes recommendations concerning, LSS Intranet, Extranet, and future Internet needs.

By year-end, the Sydney Plus Web OPAC module was installed. This enabled LSS to put its library information online and provide individual access to the Legal Resource Centre catalogue for legal aid staff across the province. As well, the Information Technology Department's operational Intranet and WebTime (see D5.1) applications were made available.

As anticipated, due to the complex nature of the Society's requirements, it took a full year to reach this point. Consequently, the Society will implement additional applications using an Intranet and Extranet in addition to its Internet Web site early next fiscal year.

A8.2: New server cabinets

By year-end, 45 locking steel server cabinets were being procured to improve server and data security in field offices. Installation of the cabinets should be completed early in the new fiscal year.

Part B: Quality assurance

Goal 1 Expand our existing quality assurance systems so that all aspects of service delivery are monitored for service quality and policy compliance.

Improved services to clients

B1.1: Poverty law policy and standards manual

As part of the Society's work toward expanding its quality assurance systems, the Client Services Department drafted 23 policies covering professional responsibility, law office systems, and file management for LSS poverty law practitioners. The policies are intended to establish common standards for office systems and service delivery, and give staff the necessary tools to operate an efficient poverty law practice.

In fall 2000, the draft policies were distributed to field offices. Poverty law lawyers, paralegals, and legal information counsellors were asked to test these policies, identify concerns, and make suggestions for changes and improvements. Production and distribution of the policy manual was delayed to allow Client Services and poverty law staff more time to discuss the drafts. The manual will likely be completed in the 2001 – 2002 fiscal year.

This year the department also began developing a substantive law manual for poverty law lawyers, paralegals, and legal information counsellors. This manual is designed to be a quick reference guide to the main areas of poverty law covered by staff across the province. Approximately 20 poverty law topics will be covered, including BC Benefits, bankruptcy, contracts/consumer issues, criminal injuries compensation and victim assistance, Employment Insurance, foreclosures, and housing. Each chapter will provide a brief description of the specific area of law, a list of common legal issues, practice alerts and general practice tips, relevant limitation periods, Aboriginal implications, and precedents and resources. The manual will likely be completed in 2001 – 2002.

The last phase of the project will be to develop training material and programs to help poverty law staff apply the policies from both manuals.

Improved field office and head office operations

B1.2: Executive/management research and reporting

By the end of fiscal year, an analysis of Society-wide reporting requirements had begun and the process of identifying simple and complex reporting system tools was well underway. However, further progress on this initiative was delayed by staff turnover — in particular the resignation of both the Society's research

By year-end, the Sydney Plus Web OPAC module was installed. This enabled LSS to put its library information online and provide individual access to the Legal Resource Centre catalogue for legal aid staff across the province. As well, the Information Technology Department's operational Intranet and WebTime (see D5.1) applications were made available.

As anticipated, due to the complex nature of the Society's requirements, it took a full year to reach this point. Consequently, the Society will implement additional applications using an Intranet and Extranet in addition to its Internet Web site early next fiscal year.

A8.2: New server cabinets

By year-end, 45 locking steel server cabinets were being procured to improve server and data security in field offices. Installation of the cabinets should be completed early in the new fiscal year.

Part B: Quality assurance

Goal 1 Expand our existing quality assurance systems so that all aspects of service delivery are monitored for service quality and policy compliance.

Improved services to clients

B1.1: Poverty law policy and standards manual

As part of the Society's work toward expanding its quality assurance systems, the Client Services Department drafted 23 policies covering professional responsibility, law office systems, and file management for LSS poverty law practitioners. The policies are intended to establish common standards for office systems and service delivery, and give staff the necessary tools to operate an efficient poverty law practice.

In fall 2000, the draft policies were distributed to field offices. Poverty law lawyers, paralegals, and legal information counsellors were asked to test these policies, identify concerns, and make suggestions for changes and improvements. Production and distribution of the policy manual was delayed to allow Client Services and poverty law staff more time to discuss the drafts. The manual will likely be completed in the 2001 – 2002 fiscal year.

This year the department also began developing a substantive law manual for poverty law lawyers, paralegals, and legal information counsellors. This manual is designed to be a quick reference guide to the main areas of poverty law covered by staff across the province. Approximately 20 poverty law topics will be covered, including BC Benefits, bankruptcy, contracts/consumer issues, criminal injuries compensation and victim assistance, Employment Insurance, foreclosures, and housing. Each chapter will provide a brief description of the specific area of law, a list of common legal issues, practice alerts and general practice tips, relevant limitation periods, Aboriginal implications, and precedents and resources. The manual will likely be completed in 2001 – 2002.

The last phase of the project will be to develop training material and programs to help poverty law staff apply the policies from both manuals.

Improved field office and head office operations

B1.2: Executive/management research and reporting

By the end of fiscal year, an analysis of Society-wide reporting requirements had begun and the process of identifying simple and complex reporting system tools was well underway. However, further progress on this initiative was delayed by staff turnover — in particular the resignation of both the Society's research

assistants. In addition, the provincial government's new Budget Transparency and Accountability Act resulted in the need to expand this project to include the development of a number of specific types of reports.

The project, funded by a $116,000 Law Foundation grant, will be carried over to next fiscal year and should be complete in fall 2001. Subsequent ongoing operating costs will be built into the Information Technology operation budget.

Improved administrative service delivery

B1.3: Systems review of the Tariff Department

"I just wanted to drop you a line to say thanks for all your efforts in working through your backlog. Your processing time is absolutely amazing — it almost seems like payment arrives before the account is mailed out." – Kirk Olearnek, Vancouver Lawyer, November 2000

A Tariff Department systems review, funded by a $17,000 Law Foundation grant and conducted by an independent consultant, was largely completed this year. Part one of the three-part review, completed in fall 2000, looked at how tariff bills are processed. It included a complete survey of bill processing and related systems. Some recommendations were implemented on an interim basis to let the Society clear a serious backlog of accounts and reduce delays in payments. Both of these objectives were achieved by December 2000.

As expected, part one of the review indicated that substantial work is required to enhance and change the bill processing system. The Society received a further $500,000 Law Foundation grant to implement additional recommendations over the next three years. These recommendations are intended to —

- minimize the costs and frustration of legal aid referrals for private bar lawyers who do legal aid work;
- reduce the overall cost of maintaining the Society's billing system, which will result in savings that can be used to increase direct services to clients; and
- allow the Society to take advantage of new technologies to support the legal aid system.

Enhancements to the current billing system will include the introduction of electronic billing and authorizations, and electronic funds transfer. Forms and guides for users will also be simplified and reissued.

A draft of the second part of the review, examining how audit processes fit in with bill processing, was also completed this year. Next fiscal year this draft will be finalized, and part three of the review, examining how LSS processes authorizations, including extra fee and disbursements requests, will begin.

B1.4: Integrated quality assurance for tariff services

Increasingly, legal aid programs recognize the need to establish practical measures to ensure service quality and to combat the perception, however misplaced, that legal aid is synonymous with 'substandard' legal service. In partnership with the private bar, LSS is developing quality assurance initiatives to ensure people in poverty receive capable and competent service. These measures promote best practices among all legal aid lawyers through education and other means, and rely on quality control to identify and remedy any instances of substandard service. The Society's work in this area is making innovative progress among Canadian and, in some respects, international legal aid programs.

A steering committee consisting of three board members, several staff, and a researcher is responsible for overseeing the Society's quality assurance program. This year, with the help of a $15,000 Law Foundation grant, the committee —

- developed a client expectation form outlining the standard of service legal aid clients should receive from their lawyers;
- supervised the development of practice checklists for immigration and human rights law, the only areas of legal aid practice not already addressed by the Law Society of BC's checklists;
- examined various ways of encouraging lawyers to take advantage of continuing legal education;

- considered the feasibility of a strategic case assessment program and changing the criminal tariff from a block to an hourly system; and
- developed and approved a policy and process for suspending lawyers' billing numbers when they have failed to provide an acceptable quality of service to clients.

The next step is to pilot some of these initiatives and develop others to identify the most effective quality assurance mechanisms in a legal aid context. This will be done using a further three-year, $375,000 Law Foundation grant.

Part C: Human resources

Goal 1 Support our staff's commitment to clients, and encourage personal growth and workforce diversity.

Staff development

C1.1: Training for new intake staff

Developing the project plan analysis for this initiative took longer than anticipated, but was well underway by fiscal year-end. It should be completed by fall 2001, at which point the Human Resources Department will begin to design and develop the training program.

Goal 2 Develop strategies to recognize the ongoing contribution of private bar lawyers in the delivery of legal aid.

Enhanced communications with private bar lawyers

C2.1: Recognizing private bar contributions

In June 2000, LSS introduced a monthly one-page newsletter for the private bar. Designed to improve and regularize communication with lawyers in private practice, *The Legal Aid Fax* is distributed through e-mail and the Society's fax server. Current issues are also posted on the LSS Web site. An evaluation carried out in December 2000 indicated that the newsletter is a success, with more than 90% of respondents reporting that they find the information useful and clear, and more than 80% saying it should continue as a monthly publication.

The tariff committees discussed how LSS could recognize best practices on the part of private bar lawyers. They determined that this involves both —

- giving public recognition for excellence (through *The Legal Aid Fax* and other means), and
- supporting specific practice needs and circumstances (for example, lawyers on the LSS vendors' list could be given the Continuing Legal Education Society of BC's Case Digest Connection via e-mail; this would ensure they receive new legal information immediately to better serve their clients).

The committees' recommendations were incorporated into upcoming work on quality assurance (see B1.4).

Part D: Finances

Goal 1 Secure from the provincial government adequate funding that meets the demand-driven nature of our services.

Securing adequate funding

One of the Society's ongoing priorities is to obtain the necessary funding from the provincial government to meet clients' pressing legal needs. As a result of its efforts, LSS received the following one-time grants from the provincial government in addition to its $81.5 million core funding (see also the Financial Report on page 20):

- $200,000 for a duty counsel pilot project (see Appendix 1),
- $650,000 to resume providing duty counsel services this year for out-of-custody accused (see A1.1),
- $750,000 to cover this year's tariff costs for arraignment court (see Appendix 2), and
- $250,000 to cover the tariff for arraignment court (allocated for fiscal year 1999 – 2000 but not received until this fiscal year).

Goal 2 Restrict our expenditures to keep within the fiscal framework imposed by Section 11 of the Legal Services Society Act.

Restricting expenditures

For the fourth consecutive year, the Society was able to create a small surplus by closely managing those expenditures it can control. Only the family tariff exceeded its budget allocation, and this was the result of an increase in family law application and referral volumes (see A1.2 and the Financial Report on page 21).

Goal 3 Pursue our statutory authority to recover our expenses.

Recovering expenses

D3.1: Pursue a legislative amendment to the LSS Act to permit LSS to place liens on property

In fall 2000, the Ministry of Attorney General responded positively to the Society's proposal for an amendment to the LSS Act that would allow LSS to place liens on property to secure repayment of tariff expenditures. The Ministry and the Society subsequently began work on a Request for Legislation Submission to cabinet.

LSS first requested this amendment in 1997 after working with government to draft the changes. The Society's goal is to use the savings resulting from this amendment to expand family law coverage and assist more clients. As well, the liens amendment would correct inequities in the Society's recoveries policy (see Appendix 5). Currently, clients whose financial circumstances substantially change as the result of a cash settlement received during or at the conclusion of their case are asked to reimburse LSS for some or all of the tariff expenditures incurred on their behalf. In contrast, clients who receive a settlement by way of a transfer of property are not asked to repay these expenditures.

The original rationale for this was that individuals should not be forced to sell the matrimonial home to pay their legal costs. However, this policy has resulted in a situation where clients who receive modest cash settlements are expected to repay the Society, while those who receive real property, often valued in excess of $100,000, are relieved of any such financial obligation.

Unfortunately, by year-end it became apparent that the legislative changes would not be tabled in the spring sitting of the legislature. As a result, there will be a further delay in implementing this important step.

- considered the feasibility of a strategic case assessment program and changing the criminal tariff from a block to an hourly system; and
- developed and approved a policy and process for suspending lawyers' billing numbers when they have failed to provide an acceptable quality of service to clients.

The next step is to pilot some of these initiatives and develop others to identify the most effective quality assurance mechanisms in a legal aid context. This will be done using a further three-year, $375,000 Law Foundation grant.

Part C: Human resources

Goal 1 Support our staff's commitment to clients, and encourage personal growth and workforce diversity.

Staff development

C1.1: Training for new intake staff

Developing the project plan analysis for this initiative took longer than anticipated, but was well underway by fiscal year-end. It should be completed by fall 2001, at which point the Human Resources Department will begin to design and develop the training program.

Goal 2 Develop strategies to recognize the ongoing contribution of private bar lawyers in the delivery of legal aid.

Enhanced communications with private bar lawyers

C2.1: Recognizing private bar contributions

In June 2000, LSS introduced a monthly one-page newsletter for the private bar. Designed to improve and regularize communication with lawyers in private practice, *The Legal Aid Fax* is distributed through e-mail and the Society's fax server. Current issues are also posted on the LSS Web site. An evaluation carried out in December 2000 indicated that the newsletter is a success, with more than 90% of respondents reporting that they find the information useful and clear, and more than 80% saying it should continue as a monthly publication.

The tariff committees discussed how LSS could recognize best practices on the part of private bar lawyers. They determined that this involves both —

- giving public recognition for excellence (through *The Legal Aid Fax* and other means), and
- supporting specific practice needs and circumstances (for example, lawyers on the LSS vendors' list could be given the Continuing Legal Education Society of BC's Case Digest Connection via e-mail; this would ensure they receive new legal information immediately to better serve their clients).

The committees' recommendations were incorporated into upcoming work on quality assurance (see B1.4).

Part D: Finances

Goal 1 Secure from the provincial government adequate funding that meets the demand-driven nature of our services.

Securing adequate funding

One of the Society's ongoing priorities is to obtain the necessary funding from the provincial government to meet clients' pressing legal needs. As a result of its efforts, LSS received the following one-time grants from the provincial government in addition to its $81.5 million core funding (see also the Financial Report on page 20):

- $200,000 for a duty counsel pilot project (see Appendix 1),
- $650,000 to resume providing duty counsel services this year for out-of-custody accused (see A1.1),
- $750,000 to cover this year's tariff costs for arraignment court (see Appendix 2), and
- $250,000 to cover the tariff for arraignment court (allocated for fiscal year 1999 – 2000 but not received until this fiscal year).

Goal 2 Restrict our expenditures to keep within the fiscal framework imposed by Section 11 of the Legal Services Society Act.

Restricting expenditures

For the fourth consecutive year, the Society was able to create a small surplus by closely managing those expenditures it can control. Only the family tariff exceeded its budget allocation, and this was the result of an increase in family law application and referral volumes (see A1.2 and the Financial Report on page 21).

Goal 3 Pursue our statutory authority to recover our expenses.

Recovering expenses

D3.1: Pursue a legislative amendment to the LSS Act to permit LSS to place liens on property

In fall 2000, the Ministry of Attorney General responded positively to the Society's proposal for an amendment to the LSS Act that would allow LSS to place liens on property to secure repayment of tariff expenditures. The Ministry and the Society subsequently began work on a Request for Legislation Submission to cabinet.

LSS first requested this amendment in 1997 after working with government to draft the changes. The Society's goal is to use the savings resulting from this amendment to expand family law coverage and assist more clients. As well, the liens amendment would correct inequities in the Society's recoveries policy (see Appendix 5). Currently, clients whose financial circumstances substantially change as the result of a cash settlement received during or at the conclusion of their case are asked to reimburse LSS for some or all of the tariff expenditures incurred on their behalf. In contrast, clients who receive a settlement by way of a transfer of property are not asked to repay these expenditures.

The original rationale for this was that individuals should not be forced to sell the matrimonial home to pay their legal costs. However, this policy has resulted in a situation where clients who receive modest cash settlements are expected to repay the Society, while those who receive real property, often valued in excess of $100,000, are relieved of any such financial obligation.

Unfortunately, by year-end it became apparent that the legislative changes would not be tabled in the spring sitting of the legislature. As a result, there will be a further delay in implementing this important step.

Goal 4 Explore alternative sources of revenue.

Alternative sources of revenue

D4.1: Explore alternative sources of revenue

The Society succeeded in obtaining additional revenue this year to fund specific projects and services.

- The Law Foundation provided a $200,000 grant for special Aboriginal projects and $300,000 for Society-wide service initiatives for the year, which included some one-time essential capital expenditures. Reports on these projects are provided throughout this section (see also the Financial Report on page 20).
- In addition:
  - ❑ The provincial Ministry of Social Development and Economic Security provided the LIS Department with an in-kind donation, equal to $13,660, by paying for the cost of reprinting *Your Welfare Rights*.
  - ❑ The Ministry of Attorney General, Victim Services Division, provided the Native Programs Department with a $10,000 grant to produce an Aboriginal version of the LSS brochure *Speaking of Abuse: Violence Against Women in Relationships*. The Native Programs Department expects to have the brochure completed by the end of June 2001.
  - ❑ The Ministry of Attorney General, Victim Services Division, provided LIS with $29,807 to reprint *Speaking of Abuse: Violence Against Women in Relationships* in English, Farsi, Spanish, Vietnamese, and Russian.
  - ❑ The federal Department of Justice and provincial Ministry of Attorney General committed $12,000 each to LIS to put information about changing support orders on the Internet (see A5.2).

LSS also began to look at alternative sources of funding used by other legal aid plans, and prepared a discussion paper on Manitoba's expanded eligibility scheme. This program covers three categories of clients in criminal and family law: those who are fully eligible, those who are eligible but required to make a partial contribution toward their legal aid costs, and those who are eligible but required to pay all of their legal costs at legal aid rates.

Goal 5 Use information technology to improve the efficiency of operations.

Operational efficiency

D5.1: Time-keeping system for staff lawyers and paralegals

By early fall 2000, the Information Technology and Client Services Departments had developed a time-keeping program called WebTime. An instruction manual and forms were prepared, and orientation sessions were provided at the fall biennial managers' conference. By the end of December 2000, conference calls were held to introduce poverty law staff to the program and answer their questions. Additional orientation/demonstration sessions were provided for members of the Board of Directors and executive directors of the BCACLO and NCLOABC. By fiscal year-end, poverty law staff lawyers and paralegals were signed into the system and reliable time-keeping information was starting to be generated.

WebTime has proven to be a user-friendly, efficient, and cost-effective program that enables local offices to produce extensive reports. Because of this success, the Society will expand the program next year to include criminal, family, and immigration staff lawyers. The Timesheet Professional program currently used by these lawyers provides accurate reports, but most need to be created centrally through the Information Technology Department. WebTime, which uses one central database accessible by all field offices, requires fewer staff for support and maintenance than

Goal 4 Explore alternative sources of revenue.

Alternative sources of revenue

D4.1: Explore alternative sources of revenue

The Society succeeded in obtaining additional revenue this year to fund specific projects and services.

- The Law Foundation provided a $200,000 grant for special Aboriginal projects and $300,000 for Society-wide service initiatives for the year, which included some one-time essential capital expenditures. Reports on these projects are provided throughout this section (see also the Financial Report on page 20).
- In addition:
  - The provincial Ministry of Social Development and Economic Security provided the LIS Department with an in-kind donation, equal to $13,660, by paying for the cost of reprinting *Your Welfare Rights*.
  - The Ministry of Attorney General, Victim Services Division, provided the Native Programs Department with a $10,000 grant to produce an Aboriginal version of the LSS brochure *Speaking of Abuse: Violence Against Women in Relationships*. The Native Programs Department expects to have the brochure completed by the end of June 2001.
  - The Ministry of Attorney General, Victim Services Division, provided LIS with $29,807 to reprint *Speaking of Abuse: Violence Against Women in Relationships* in English, Farsi, Spanish, Vietnamese, and Russian.
  - The federal Department of Justice and provincial Ministry of Attorney General committed $12,000 each to LIS to put information about changing support orders on the Internet (see A5.2).

LSS also began to look at alternative sources of funding used by other legal aid plans, and prepared a discussion paper on Manitoba's expanded eligibility scheme. This program covers three categories of clients in criminal and family law: those who are fully eligible, those who are eligible but required to make a partial contribution toward their legal aid costs, and those who are eligible but required to pay all of their legal costs at legal aid rates.

Goal 5 Use information technology to improve the efficiency of operations.

Operational efficiency

D5.1: Time-keeping system for staff lawyers and paralegals

By early fall 2000, the Information Technology and Client Services Departments had developed a time-keeping program called WebTime. An instruction manual and forms were prepared, and orientation sessions were provided at the fall biennial managers' conference. By the end of December 2000, conference calls were held to introduce poverty law staff to the program and answer their questions. Additional orientation/demonstration sessions were provided for members of the Board of Directors and executive directors of the BCACLO and NCLOABC. By fiscal year-end, poverty law staff lawyers and paralegals were signed into the system and reliable time-keeping information was starting to be generated.

WebTime has proven to be a user-friendly, efficient, and cost-effective program that enables local offices to produce extensive reports. Because of this success, the Society will expand the program next year to include criminal, family, and immigration staff lawyers. The Timesheet Professional program currently used by these lawyers provides accurate reports, but most need to be created centrally through the Information Technology Department. WebTime, which uses one central database accessible by all field offices, requires fewer staff for support and maintenance than

Timesheet Professional, which involves 22 databases, distributed province-wide.

D5.2: Implement direct deposit for lawyers' bills

Staff turnover and other pressing demands, such as realigning financial systems to conform to the new provincial Budget Transparency and Accountability Act, delayed implementation of an electronic funds transfer system. Such a system would allow the Society to use direct deposits to pay all bills, including those submitted by lawyers. The initial research into the technology required to proceed with this system was completed this year. The next step will be to run a pilot project with a test group to identify and resolve any difficulties with the process.

This initiative has been added to the Society's three-year project to implement the recommendations of the Tariff Systems Review (see B1.3).

D5.3: Human Resources Information System (HRIS) review

A steering committee to manage this project was selected and interim measures were put in place this year to stabilize the existing system and ensure the reliability of the LSS payroll. A charter outlining the project's objectives, steps required to achieve them, and timelines was completed and approved by fiscal year-end.

Further progress was delayed by vacancies in the Information Technology Department positions assigned to work on this project. The basic components for a new HRIS are expected to be in place by the end of 2001 – 2002. The remaining work includes completing a detailed review of human resource and payroll needs; selection, customization, installation, and testing of a new software package that will be compatible with the LSS technical environment; and training staff in the new system.

D5.4: Explore cost-effective alternatives for private bar lawyer tariff billing and processing

By June 30, 2000, the *Guide to Legal Aid Tariffs* was officially launched on the LSS Web site. This makes it more accessible to the private bar and the public and enhances the Society's ability to incorporate and distribute updates as they occur.

Other initiatives undertaken this year included —

- an initial investigation into the feasibility of using a fast-track billing system for selected accounts,
- continued development of electronic billing forms, and
- a feasibility study of electronic billing.

During the year, this work was added to the Society's three-year project to implement the recommendations from the Tariff Systems Review (see B1.3).

Financial Report 2000 – 2001

Revenues
$81.5 million (Core government funding)
$ 3.0 million (Law Foundation grant)
$ 1.4 million (Human rights tariff and one-time grants)
$ 0.7 million (Miscellaneous)
$ 0.7 million (Interest)
$ 0.7 million (Notary Foundation grant)
$ 0.3 million (Law Foundation project grants)
$ 88.3 million Total

Revenues

The provincial government provides the major portion of the Society's funds. Under federal-provincial cost-sharing agreements, the federal government reimburses the provincial government for part of the cost of criminal legal aid. In 2000 – 2001, the amount reimbursed for criminal legal aid was just over $9 million.

The LSS Act requires the Society to balance its budget. LSS may plan for an operating deficit for a given year only with prior approval from the Attorney General and the Minister of Finance and Corporate Relations.

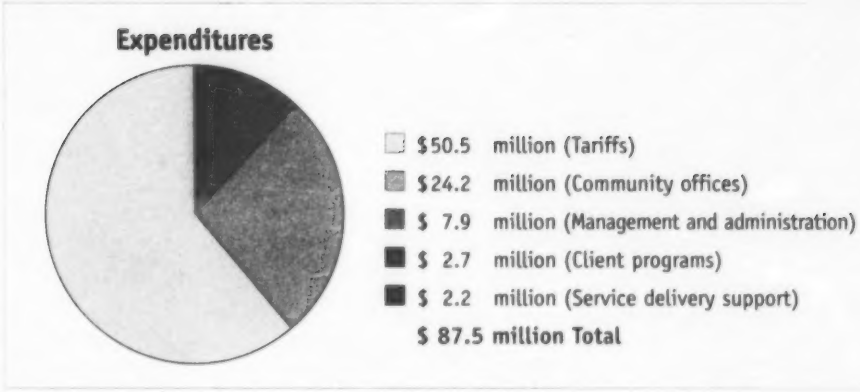
Total revenue for the year was $88.3 million. Provincial funding for legal aid remained frozen at $81.5 million. In addition to reimbursing the Society for the human rights tariff, the government provided LSS with $1.85 million in 2000 – 2001 for one-time grants (see Part D, Goal 1 in the business plan report), of which $.9 million was included in this year's revenue (the balance was deferred to next fiscal year). An additional $500,000 in special project grants was received from the Law Foundation. Of this, $300,000 was included in this year's revenue; the remainder was deferred to 2001 – 2002 for completing, or in some cases beginning, these projects.

Income from other sources in 2000 – 2001 totalled $5.1 million. This included $247,796 from a one-time Indemnification Agreement with Citizenship and Immigration Canada, which reimbursed the Society for some costs incurred for cases related to the arrival by boat of refugee claimants from China in the summer of 1999. (The amount received is included with income from client contributions under "Legal costs recovered" in the "Statement of Income and Expenditures" on page 28.)

Expenditures

The Society's expenditures came to $87.5 million in 2000 – 2001, compared to $83.6 million in the previous fiscal year. By fiscal year-end, the Society had reduced its accumulated deficit to $6.6 million, down from $7.4 million the previous year.

The major cost increases this year were for branches and community law offices (CLOs), technology, and tariffs. The tables on pages 22 – 23 show the Society's costs over the past five years. What follows is an explanation of the major changes in expenditures from 1999 – 2000 to 2000 – 2001.


Expenditures
$50.5 million (Tariffs)
$24.2 million (Community offices)
$ 7.9 million (Management and administration)
$ 2.7 million (Client programs)
$ 2.2 million (Service delivery support)
$ 87.5 million Total

Operating expenditures

Branch cost increases were a result of salary contracts, filling vacant positions, building lease costs, and general inflationary pressures. The latter include increased costs due to natural gas price increases, estimated to be $121,000. CLO cost increases were primarily a result of the full impact of implementing salary parity with LSS, renovations, and union contract salary increases.

Spending on technology continued to affect management and administration costs for the Society. The increased finance costs were mainly for interest on computer equipment leases. This, along with depreciation cost increases, was a result of previous years' expenditures on capital assets. These costs will remain high for 2001 – 2002 and should decrease thereafter. Information technology costs rose due to non-capital expenditures for implementation of the Intranet, as well as the increased number of applications currently being supported on the computer network.

Tariff expenditures

Family tariff costs increased largely as a result of decisions made in prior years to increase eligibility and coverage (see A1.2 in the business plan report). The impact of these decisions was realized in 2000 – 2001 with a 14% increase in family referrals to the private bar.

During the year, the Attorney General provided additional funding for arraignment court and out-of-custody duty counsel. The duty counsel funding allowed LSS to restore a service that had been eliminated at the start of the year, but this could not be implemented until fall 2000. As a result, out-of-custody service was available for only half the year, and the number of cases handled declined by 10,489 compared to 1999 – 2000. Duty counsel cost increases were a result of changes to the duty counsel system; however, these cost increases were offset somewhat by a 6.5% decrease in criminal referrals to the private bar.

The human rights tariff expenditures rose as a result of the increasing length and complexity of cases and new procedures introduced by the Human Rights Commission. Prison tariff cost increases were a direct result of the 1999 *Winters* decision, in which the Supreme Court of Canada ruled that prisoners facing disciplinary proceedings are entitled to legal services under the LSS Act.

Holdbacks payments

In May 2000, the Board of Directors decided to pay $692,451 in holdbacks deducted from criminal and duty counsel accounts paid during 1999 – 2000 (see Appendix 4). This represents the amount that the criminal and duty counsel tariffs were under-budget for that fiscal year. The payments were made in January 2001 on a pro-rata basis to lawyers who were affected by those holdbacks. The immigration and family tariff expenditures exceeded their budgets in 1999 – 2000 so no holdbacks were paid in those areas.

The board decided that $859,338 in holdbacks deducted from criminal ($433,256), duty counsel ($52,739), and immigration ($373,343) accounts paid during 2000 – 2001 will be paid at a later date to private bar lawyers affected by these holdbacks. Because the family tariff exceeded its budget, the 2000 – 2001 holdbacks in that area will not be paid.

2000 – 2001 expenditures

	2000 – 2001	1999 – 2000	1998 – 1999	1997 – 1998	1996 – 1997
Branches	$ 12,974,517	$ 12,293,098	$ 11,888,103	$ 11,765,226	$ 13,391,995
CLOs [1]	7,649,349	7,000,320	6,981,093	7,555,225	6,673,628
NCLOs	3,168,803	2,881,273	2,945,194	3,135,916	3,180,589
Brydges duty counsel	211,248	207,317	204,916	201,130	192,157
Area directors	195,943	189,336	191,269	210,700	209,834
Salvation Army [2]	9,750	8,250	60,000	62,280	76,662
Divorce Clinic	n/a	n/a	n/a	n/a	42,990
Total	**$ 24,209,610**	**$ 22,579,594**	**$ 22,270,575**	**$ 22,930,477**	**$ 23,767,855**

[1] Includes funding for the Community Legal Assistance Society and mental health services costs.
[2] A small contract with the Salvation Army in Victoria provides service in the prisons and courts there.

	2000 – 2001	1999 – 2000	1998 – 1999	1997 – 1998	1996 – 1997
Appeals	$ 564,584	$ 607,968	$ 740,289	$ 660,254	$ 593,441
Library services [1]	693,063	643,724	603,730	607,275	692,776
Public Legal Education [2]	571,361	557,222	643,387	531,811	498,661
Publishing	435,612	361,419	260,950	359,399	471,427
Native Programs [3]	417,249	346,957	287,940	199,756	360,888
Total	**$ 2,681,869**	**$ 2,517,290**	**$ 2,536,296**	**$ 2,358,495**	**$ 2,617,193**

[1] These amounts include grants provided to public libraries: $23,994 in 2000 – 2001 and $24,000 in 1999 – 2000.
[2] These amounts include external grants received for various projects totalling $141,249 in 2000 – 2001 and $111,855 in 1999 – 2000. The amounts also include grants provided to fund community group PLE projects across BC: $173,896 in 2000 – 2001 and $170,342 in 1999 – 2000.
[3] These amounts include external grants received for PLE work ($20,000 in 2000 – 2001). They also include grants provided to fund community group PLE projects and community development initiatives across BC: $151,233 and $84,330 respectively in 2000 – 2001, and $99,749 and $35,421 respectively in 1999 – 2000.

Holdbacks payments

In May 2000, the Board of Directors decided to pay $692,451 in holdbacks deducted from criminal and duty counsel accounts paid during 1999 – 2000 (see Appendix 4). This represents the amount that the criminal and duty counsel tariffs were under-budget for that fiscal year. The payments were made in January 2001 on a pro-rata basis to lawyers who were affected by those holdbacks. The immigration and family tariff expenditures exceeded their budgets in 1999 – 2000 so no holdbacks were paid in those areas.

The board decided that $859,338 in holdbacks deducted from criminal ($433,256), duty counsel ($52,739), and immigration ($373,343) accounts paid during 2000 – 2001 will be paid at a later date to private bar lawyers affected by these holdbacks. Because the family tariff exceeded its budget, the 2000 – 2001 holdbacks in that area will not be paid.

2000 – 2001 expenditures

Community offices (intake and poverty, criminal, human rights, and immigration law services)

	2000 – 2001	1999 – 2000	1998 – 1999	1997 – 1998	1996 – 1997
Branches	$ 12,974,517	$ 12,293,098	$ 11,888,103	$ 11,765,226	$ 13,391,995
CLOs [1]	7,649,349	7,000,320	6,981,093	7,555,225	6,673,628
NCLOs	3,168,803	2,881,273	2,945,194	3,135,916	3,180,589
Brydges duty counsel	211,248	207,317	204,916	201,130	192,157
Area directors	195,943	189,336	191,269	210,700	209,834
Salvation Army [2]	9,750	8,250	60,000	62,280	76,662
Divorce Clinic	n/a	n/a	n/a	n/a	42,990
Total	**$ 24,209,610**	**$ 22,579,594**	**$ 22,270,575**	**$ 22,930,477**	**$ 23,767,855**

[1] Includes funding for the Community Legal Assistance Society and mental health services costs.
[2] A small contract with the Salvation Army in Victoria provides service in the prisons and courts there.

Client programs

	2000 – 2001	1999 – 2000	1998 – 1999	1997 – 1998	1996 – 1997
Appeals	$ 564,584	$ 607,968	$ 740,289	$ 660,254	$ 593,441
Library services [1]	693,063	643,724	603,730	607,275	692,776
Public Legal Education [2]	571,361	557,222	643,387	531,811	498,661
Publishing	435,612	361,419	260,950	359,399	471,427
Native Programs [3]	417,249	346,957	287,940	199,756	360,888
Total	**$ 2,681,869**	**$ 2,517,290**	**$ 2,536,296**	**$ 2,358,495**	**$ 2,617,193**

[1] These amounts include grants provided to public libraries: $23,994 in 2000 – 2001 and $24,000 in 1999 – 2000.
[2] These amounts include external grants received for various projects totalling $141,249 in 2000 – 2001 and $111,855 in 1999 – 2000. The amounts also include grants provided to fund community group PLE projects across BC: $173,896 in 2000 – 2001 and $170,342 in 1999 – 2000.
[3] These amounts include external grants received for PLE work ($20,000 in 2000 – 2001). They also include grants provided to fund community group PLE projects and community development initiatives across BC: $151,233 and $84,330 respectively in 2000 – 2001, and $99,749 and $35,421 respectively in 1999 – 2000.

Service delivery support

	2000 – 2001	1999 – 2000	1998 – 1999	1997 – 1998	1996 – 1997
Tariff, Audit and Investigation	$ 1,354,843	$ 1,303,586	$ 1,173,670	$ 1,089,836	$ 1,133,703
Client Services [1]	869,348	821,846	692,280	672,874	849,927
Total	**$ 2,224,191**	**$ 2,125,432**	**$ 1,865,950**	**$ 1,762,710**	**$ 1,983,630**

[1] Includes Reciprocals.

Management and administration

	2000 – 2001	1999 – 2000	1998 – 1999	1997 – 1998	1996 – 1997
Human Resources [1]	$ 1,134,290	$ 1,108,355	$ 901,120	$ 790,124	$ 899,744
Finance and Administration	2,951,341	2,755,559	2,466,072	2,584,142	3,301,493
Information Technology	2,492,076	2,250,867	1,809,351	1,399,448	1,821,336
Communications	46,886	43,570	46,104	41,012	49,402
Depreciation	1,275,748	1,071,140	510,369	570,343	1,191,284
Total	**$ 7,900,341**	**$ 7,229,491**	**$ 5,733,016**	**$ 5,385,069**	**$ 7,263,259**

[1] Includes Training.

Tariff expenditures [1]

In 2000 – 2001, tariff payments came to 57.7% of all LSS expenses. More than half (54.7%) of the private bar lawyers whose accounts were approved for payment billed LSS less than $20,000 in fees in 2000 – 2001. (These billings include cases referred but not completed before this fiscal year.)

Area of law	2000 – 2001	1999 – 2000	1998 – 1999	1997 – 1998	1996 – 1997
Criminal	$ 18,947,381	$ 19,087,078	$ 18,865,063	$ 20,202,649	$ 24,960,565
Family	20,755,415	19,923,649	20,411,083	24,749,593	28,752,358
Immigration	5,271,599	5,212,065	4,169,935	3,387,438	3,764,652
Duty counsel [2]	2,766,854	2,449,565	2,257,998	2,204,466	2,276,207
Human rights [3]	526,060	310,541	332,941	271,365	219,011
Prison [4]	142,927	92,336	72,559	73,565	113,628
Transcripts	1,299,439	1,432,072	1,062,920	1,251,004	1,745,126
Pro bono disbursements	217,520	138,496	183,048	197,693	192,627
Staff case disbursements	571,832	552,415	574,012	495,458	523,795
Total [5]	**$ 50,499,027**	**$ 49,198,217**	**$ 47,929,559**	**$ 52,833,231**	**$ 62,547,969**

[1] Tariff expenditures include disbursements. Recoveries from lawyers for accounts billed in error ($103,313 in 2000 – 2001) and recoveries from clients ($488,700 in 2000 – 2001) are paid back into the applicable tariff budget.

[2] Duty counsel includes circuit court counsel payments.

[3] The BC Human Rights Commission reimburses LSS the cost of the human rights tariff for BC Human Rights Act matters.

[4] Prisoners' Legal Services has a small budget for retaining private counsel to represent prisoners at parole hearings and disciplinary proceedings.

[5] These totals consist of the following expenditures shown in the "Statement of Income and Expenditures" on page 28: tariffs plus transcripts plus duty counsel minus Brydges (included in duty counsel) minus mental health services (included in Tariffs). Brydges costs (reported separately under Community offices on page 22) were $211,248 in 2000 – 2001 and $207,317 in 1999 – 2000. Mental health services costs (reported as part of CLO expenses on page 22) were $17,640 in 2000 – 2001 and $17,949 in 1999 – 2000.

Financial Statements 2000 – 2001

Report of the Auditor General of British Columbia

To the Members of the Board of Directors,
Legal Services Society, and

To the Attorney General,
Province of British Columbia:

I have audited the balance sheet of the *Legal Services Society* as at March 31, 2001 and the statements of accumulated deficit, income and expenditures and cash flows for the year then ended. These financial statements are the responsibility of the Society's management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the *Legal Services Society* as at March 31, 2001 and the results of its operations and cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Wayne Strelioff

Victoria, British Columbia
May 18, 2001

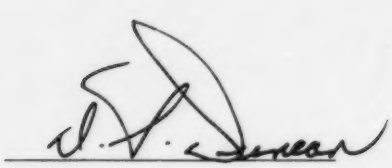
Wayne Strelioff, CA
Auditor General

Legal Services Society
Management's Responsibility for the Financial Statements

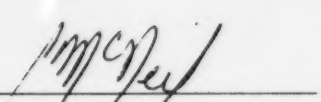
Management is responsible for the preparation of the Society's financial statements. This responsibility includes maintaining the integrity and objectivity of the Society's financial records, and presenting the Society's financial statements in accordance with Canadian generally accepted accounting principles.

Management maintains a system of internal controls that ensures that all material agreements and transactions of the Society are properly recorded. The Society's financial statements for the year ended March 31, 2001 have been examined by the Office of the Auditor General. Their examination was made in accordance with Canadian generally accepted auditing standards, and included obtaining a sufficient understanding of the Society's internal controls to plan the audit.

The Board of Directors of the Society is composed solely of directors who are not employees of the Society. The Board, acting through its Finance Committee, is responsible for determining that management fulfills its responsibilities in the preparation of the financial statements and the control of the Society's financial operations. The Finance Committee meets with staff of the Office of the Auditor General to discuss their audit work, the Society's internal controls, and the financial statements. The Board of Directors is responsible for approving the financial statements.



David S. Duncan
Chief Executive Officer/Executive Director



Catherine McNeil
Director, Finance and Administration

Legal Services Society
Balance Sheet
As at March 31, 2001

	2001	2000
Assets		
Current assets		
Cash	$ 307,798	$ 4,716,304
Accounts receivable - Provincial Government	165,028	69,241
- Government of Canada	519,495	959,655
- other	252,248	332,762
Prepaid expenses	444,041	440,191
Total current assets	1,688,610	6,518,153
Capital assets (note 4)	2,793,976	3,396,396
	$ 4,482,586	$ 9,914,549
Liabilities		
Current liabilities		
Accounts payable - general	$ 1,965,977	$ 1,344,567
- tariff	5,838,673	13,731,972
Professional staff benefits plan	1,115,296	806,672
Current portion of obligations under capital leases (note 7)	648,455	570,621
Deferred income	1,236,050	87,601
Total current liabilities	10,804,451	16,541,433
Long-term liabilities		
Obligations under capital leases (note 7)	242,052	746,181
	11,046,503	17,287,614
Accumulated deficit	(6,563,917)	(7,373,065)
	$ 4,482,586	$ 9,914,549

The accompanying notes are an integral part of these financial statements.

Approved by the Board:

Sandi Tremblay
Chair

Bruce Hardy
Chair, Finance Committee

Legal Services Society
Statement of Accumulated Deficit
For the year ended March 31, 2001

	2001	2000
Accumulated deficit		
Beginning of year	**$ (7,373,065)**	$ (10,267,989)
Add excess of income over expenditures for the year	**809,148**	2,894,924
End of year	**$ (6,563,917)**	$ (7,373,065)

The accompanying notes are an integral part of these financial statements.

Legal Services Society
Statement of Income and Expenditures
For the year ended March 31, 2001

	2001	2000
Income		
Grants		
Province of British Columbia	$ 82,953,371	$ 81,810,541
Law Foundation	3,288,674	3,175,000
Notary Foundation	659,052	475,658
	86,901,097	85,461,199
Other income		
Interest	684,511	653,759
Legal costs recovered	533,153	199,143
Miscellaneous	205,426	230,847
	1,423,090	1,083,749
	88,324,187	86,544,948
Expenditures		
Amortization	1,275,748	1,071,140
Area directors	195,943	189,336
Board expenses	97,189	133,392
Computer	1,810,432	1,595,489
Duty counsel	2,978,102	2,656,882
Grants and contracted services	10,852,834	10,008,489
Libraries	257,589	268,768
Miscellaneous	651,300	680,424
Office	1,383,912	1,262,832
Premises	2,074,187	1,877,229
Publications	169,921	92,744
Salaries and benefits	17,641,051	16,687,969
Tariffs (note 6)	46,450,375	45,334,529
Transcripts	1,299,439	1,432,072
Travel	377,017	358,729
	87,515,039	83,650,024
Excess of income over expenditures for the year	$ 809,148	$ 2,894,924

The accompanying notes are an integral part of these financial statements.

Legal Services Society
Statement of Cash Flows
For the year ended March 31, 2001

	2001	2000
Cash flows from (to):		
Operating activities		
Excess of income over expenditures for the year	$ 809,148	$ 2,894,924
Items not involving the outlay of cash		
Amortization	1,275,748	1,071,140
	2,084,896	3,966,064
Changes in non-cash operating items		
Accounts receivable	424,887	582,210
Prepaid expenses	(3,850)	105,809
Accounts payable	(7,271,889)	5,236,022
Professional staff benefits plan	308,264	83,153
Deferred income	1,148,449	26,809
	(3,309,243)	10,000,067
Investing activities		
Capital asset additions	(673,327)	(2,789,806)
Financing activities		
Capital lease payments	(507,481)	(445,372)
Capital lease additions	81,545	1,523,236
Net increase (decrease) in cash position	(4,408,506)	8,288,125
Cash (operating line of credit) beginning of year	4,716,304	(3,571,821)
Cash end of year	$ 307,798	$ 4,716,304

The accompanying notes are an integral part of these financial statements.

Legal Services Society
Notes to the Financial Statements
For the year ended March 31, 2001

1. The Society

The Society was established under the Legal Services Society Act on October 1, 1979 and is not an agent of the Crown. The objects of the Society are to ensure that —

- services ordinarily provided by a lawyer are afforded to individuals who would not otherwise receive them because of financial or other reasons; and
- education, advice and information about law are provided for the people of British Columbia.

In 2001, the Society received 94% (2000 – 95%) of its income from the Province of British Columbia and 4% (2000 – 4%) of its income from the Law Foundation of British Columbia. The Society depends on funding from these two sources for the continuance of its operations.

Under cost sharing agreements, the Province of British Columbia recovers approximately 10% of its contribution to the Society from the Government of Canada.

2. Significant Accounting Policies

Basis of accounting

These financial statements have been prepared in accordance with Canadian generally accepted accounting principles.

Donated services

Donated services are recorded at fair value when they would normally be purchased by the Society and when fair value can be estimated for the services.

Use of estimates

The preparation of financial statements in conformity with Canadian generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets, including the recoverability of accounts receivable, capital assets, and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures during the reported period. Actual results could differ from the estimates.

Capital assets

Capital assets are recorded at cost, and are amortized on a straight-line basis over their estimated useful lives as follows:

	Per Year
Furniture	20%
Equipment	20%
Computer equipment	33%
Computer equipment under capital lease	33%
Computer software	33%
Case Management System	10%
Leasehold improvements	20%
Equipment under capital lease	20%

The capital threshold is $1,000 per item (2000 – $500).

3. Measurement Uncertainty

Uncertainty in the determination of the amount at which an item is recognized in the financial statements is known as measurement uncertainty. Uncertainty exists whenever estimates are used because it is reasonably possible that there could be a material variance between the recognized amount and another reasonably possible amount.

Measurement uncertainty in these financial statements exists in the accrual for tariff expenditures where work has been done for assigned cases for which eventual billings to the Society could result in actual costs which differ from the estimates made.

4. Capital Assets

	Cost	Accumulated Amortization	Net Book Value 2001	Net Book Value 2000
Furniture	$ 145,961	$ (120,925)	$ 25,036	$ 30,214
Equipment	932,043	(586,786)	345,257	330,740
Computer equipment	1,637,723	(925,705)	712,018	227,954
Computer equipment under capital lease	1,652,538	(1,045,699)	606,839	1,480,661
Computer software	434,736	(313,968)	120,768	239,337
Case Management System	1,126,527	(432,261)	694,266	807,759
Leasehold improvements	805,224	(522,470)	282,754	177,931
Equipment under capital lease	370,673	(363,635)	7,038	101,800
	$ 7,105,425	$ (4,311,449)	$ 2,793,976	$ 3,396,396

5. Donated Services

The Society's head office premises are provided at a reduced rent under an agreement between the City of Vancouver and the building's owner that expires on June 14, 2004. The annual difference between the market value of the rent and the rent paid is approximately $250,000 (2000 - $217,000). Because the Society would not be leasing its current head office premises if it were paying the full market rent, this amount is not recorded in the Society's financial statements.

Lawyers from the private bar are retained by the Society to represent eligible clients in criminal, immigration/refugee, and family cases. Some lawyers subsidize the Society by being paid fees for their services that are less than those they would normally charge privately. Because the donated portion of these services cannot be reasonably estimated, it is not recorded in the Society's financial statements.

6. Tariff Holdbacks

For clients referred after July 1, 1994, the Society implemented percentage holdbacks of tariff fees payable to lawyers from the private bar. The holdbacks retained for tariff accounts received in 2001 amounted to $5,605,184 (2000 - $4,679,648).

Lawyers from the private bar were advised by Notice to Counsel of the percentage of the holdbacks. The Society would determine after the end of the fiscal year whether any money would be available in the tariff budgets to repay all or part of the holdbacks deducted from the accounts approved in the year.

The Society decided to expense holdbacks in the amount of $859,338 (2000 - $692,451) deducted from criminal accounts ($485,995 inclusive of duty counsel) and immigration/refugee accounts ($373,343) approved in the year. No holdbacks were paid on family tariff account expenditures as they exceeded budgeted amounts.

Accordingly, the balance of the holdbacks deducted from accounts approved in the year was not expensed and was retained by the Society. The balance of the holdbacks in the amount of $4,745,846 (2000 - $3,987,197) has not been recorded as a liability of the Society as at March 31, 2001 or included in the tariff expenditures for the year.

7. Obligations Under Capital Leases

	2001	2000
CDI Equipment Finance Inc.		
Blended lease payments of $8,054 per month on telephone equipment expires December 2001	$ 72,506	$ 169,154
Less: amount representing interest (7.68%) per annum	(2,266)	(11,340)
	70,240	157,814
Less: current portion	(70,240)	(87,574)
Long term	$ 0	$ 70,240

	2001	2000
IBM Canada Ltd.		
Blended lease payments of $43,303 per month on computer equipment expires July 31, 2002/ December 31, 2003	$ 862,658	$1,246,217
Less: amount representing interest (4.42% to 9.65%) per annum	(42,391)	(87,229)
	820,267	1,158,988
Less: current portion	(578,215)	(483,047)
Long term	$ 242,052	$ 675,941

Principal payments due in the next 3 fiscal years are as follows:

CDI Equipment Finance Inc.

2002	$ 70,240

IBM Canada Ltd.

2002	$ 578,215
2003	219,581
2004	22,471
	$ 820,267

8. Pension Plan

The Society and its employees contribute to the Municipal Pension Plan administered by the British Columbia Pension Corporation. The Society's contributions to the Plan for 2001 were $825,041 (2000 – $773,155).

The Municipal Pension Plan is a defined benefit pension plan for which actuarial valuations are prepared at intervals of not more than three years. The most recently completed actuarial valuation of the Plan was made as at December 31, 1997. The amount of its unfunded liability, if any, is disclosed in its annual financial statements, which are included in the Public Accounts for the Province of British Columbia. The actuary does not determine the portion of the unfunded liability attributable to the Society, and therefore no amounts are recorded for any unfunded liability in these financial statements.

9. Commitments

The Society has the following commitments for long-term leases of its office premises, capital asset purchases, operating leases, and maintenance of its desktop software-licensing program:

2002	$ 1,155,317
2003	1,096,246
2004	1,042,369
2005	638,555
2006	315,363

10. Related Party Transactions

The Society is related to Province of British Columbia ministries, agencies, and Crown Corporations. Transactions with these entities are generally considered to be in the normal course of operations and are recorded at the exchange amount, unless disclosed separately in these financial statements.

11. Subsequent Events

On April 5, 2001 Order-in-council (OIC) #426 was implemented, and the Municipal Pension Plan Board became the Municipal Pension Board of Trustees. This changed the governance of the pension plan from government sponsorship to joint trusteeship, with employees and employers having an equal share in the decision making and in the financing of the plan.

Appendix 1: Structure

LSS operates or funds offices in communities across BC to provide legal services. These offices administer the legal aid plan by, among other things, interviewing applicants, determining their eligibility, and referring them to staff and private bar lawyers. They also provide a range of other services to their communities, including poverty law advice and representation, public legal education (PLE), community development, and law reform. The extent and nature of local services is determined each year and set out in annual office plans.

LSS works to ensure its services are accessible to all communities. For example, the Society —

- has an employment equity policy, and staff are required to adhere to a code of ethics that includes non-discrimination and non-harassment;
- maintains a list of multilingual staff lawyers, paralegals, and private bar lawyers who accept legal aid referrals;
- funds interpreter services when an interpreter is required to work with a lawyer; and
- provides public legal education materials in a variety of languages.

Community offices

The different types of offices are:

- branch offices — staffed by LSS employees, including lawyers, paralegals, secretaries, and intake legal assistants, these offices ensure ongoing community involvement through local advisory committees and/or public planning days;
- community law offices (CLOs) and native community law offices (NCLOs) — independent bodies governed by their own boards of directors, drawn from the local community (although two CLOs, Victoria and Nanaimo, are staffed by LSS employees); and
- area directors — private bar lawyers who take family and criminal legal aid applications and refer eligible applicants to lawyers.

Nanaimo Intake Supervisor Ann Ronald with Madam Justice Kathleen Downs at the Doug Traill Memorial Law Centre's Community Planning Day, October 26, 2000. *Photograph by Denice Barrie.*

While all offices serve all people in their communities, NCLOs also focus on local Aboriginal needs in providing legal services.

As of March 31, 2001, in addition to head office, LSS operated 17 branches and funded 14 CLOs and 14 NCLOs with a combined total of 441.9 full-time equivalent staff positions. LSS also funded 14 area directors. The Map of Legal Aid Offices on the back cover shows all office locations.

Other funded agencies

LSS provides funds to the Community Legal Assistance Society (CLAS). Under its mandate, CLAS does test case and law reform work in poverty, human rights, and disability law; supervises the Law Students Legal Advice Program; and provides services under the Mental Health Act.

Brydges line

LSS contracts out the Brydges line, a province-wide 24-hour toll-free telephone service that provides prompt access to legal advice for people who are arrested and detained, or who are under active investigation by the police or other law enforcement agencies but are not yet charged and need emergency advice. In 2000 – 2001, the Brydges line received 30,051 calls.

Circuit courts

LSS contracts with lawyers in private practice or provides staff lawyers to act as counsel in "circuit courts." These courts consist of a court team that travels to remote areas of the province to hear cases. The communities where these courts sit are small, rural, and predominantly Aboriginal. Circuit court lawyers represent clients in criminal, family, and youth court matters on the court list, including preliminary hearings and trials. They also provide duty counsel services.

This year, work continued on improving services in Bella Bella and Bella Coola. Last year LSS initiated the transfer of responsibility for circuit court services to two local lawyers. This would have also provided a foundation for greater poverty law and public legal education services in the area. Before the transfer could get underway, however, both lawyers decided to reduce their practice and were unable to take on this work. The initiative had to be abandoned, and circuit court services continue to be delivered by staff counsel from Vancouver. Initiatives to improve the delivery of poverty law services are being re-examined and some public legal education initiatives began this year in Bella Coola.

In its ongoing efforts to improve services in other circuits, the Society hired an additional lawyer to travel with the court team on the northern circuit (Atlin, Lower Post, and Good Hope Lake) and to Dease Lake and Anaheim Lake to handle family cases.

Duty counsel

Staff and private bar lawyers provide duty counsel services in most courts. They advise accused people about the charges against them, court procedures, and legal rights (including the right to counsel and the right to apply for legal aid). Duty counsel often represent these clients at hearings in which the accused is applying for a release, entering a guilty plea, and/or speaking to sentence. Clients do not have to be financially eligible to receive duty counsel services, but only those who meet LSS coverage and financial eligibility requirements are entitled to a legal aid referral for ongoing representation. In 2000 – 2001, duty counsel assisted 49,872 people in courts across BC.

The provincial government provided $200,000 to match funds set aside by the Society to develop an enhanced duty counsel pilot project. Other pressing matters, such as the restoration of duty counsel services to out-of-custody clients (see A1.1 in the business plan report), postponed this project. A review of potential models for the pilot was completed this year, but the funding will be carried over to next year, when further preparation work will take place. The development of discussion papers and recommendations to the LSS Board of Directors and meetings with the Ministry of Attorney General to discuss a final proposal could take four to six months. The pilot project itself should be carried out over an eighteen-month period.

Central support to community offices

Head office, located in Vancouver, provides three main categories of support to community offices: client programs, service delivery support, and management and administration.

Client programs

Client programs are available to clients and the public on a daily basis.

Judicial appeals

This department provides legal aid services to eligible clients who are applying for a judicial appeal of either lower court, administrative board, or tribunal decisions (see Appendix 2).

Legal Information Services

"Library staff have rescued me time and time again. I am thankful and am taking this opportunity to say the LRC is 'user friendly'. I know of no better compliment." – Rob Fredrickson, Managing Lawyer, Chilliwack branch office.

The Legal Information Services (LIS) Department works to improve access to basic legal information for all British Columbians. To this end, the department provides services through the Legal Resource Centre (LRC) that include legal information for the public on Law Line; reference, training, and collection support to public libraries; library reference services; and a legal information Web site (the Electronic Law Library) (see Appendix 3).

The department also provides project funding and produces publications through the Public Legal Education (PLE) and Publishing Programs (see Appendix 3). In providing these services, LIS relies on intermediaries across the province to reach people in their own communities, and uses the most appropriate medium (e.g., print, audio-visual, audio, Web site) to convey legal information to the public. In addition, the department provides intermediaries with back-up and training in a number of areas. These include using the Internet for legal research, building legal collections, finding additional resources and/or funding, preparing training programs in substantive areas of law, producing materials, carrying out translations and legal checks, and developing advocacy techniques and law reform strategies.

Native Programs Department

The Native Programs Department develops and implements policies, plans, program proposals, and initiatives for delivering appropriate legal services to Aboriginal people. One of the department's priorities is to help Aboriginal communities develop community-based justice programs.

The department also provides guidance and advice about Aboriginal law issues, information about lawyers or services that can help Aboriginal clients, and public legal education funding and services (see Appendix 3). Its focus is to improve Aboriginal people's access to legal programs and services throughout the province, and to ensure the unique legal needs of Aboriginal people are met by the Society.

Aboriginal Case Coverage Committee

The Client Services and Tariff Departments jointly participate in the Aboriginal Case Coverage Committee, enabling the Society to be more proactive in its approach to Aboriginal case management. The committee's mandate includes reviewing exception requests to LSS coverage policy for Aboriginal hunting and fishing cases, recommending priorities for Aboriginal rights cases, and identifying possible test cases and alternative funding sources for issues involving Aboriginal rights.

Aboriginal case legal fund

The Aboriginal case legal fund pays for referrals to the private bar when conflicts of interest prevent staff lawyers from acting in matters that arise on reserves between Aboriginal individuals and their bands. The fund is treated as a 'mini-tariff' administered jointly by the Native Programs and Client Services Departments.

Restorative justice programs

Based on the principles of rehabilitation and healing instead of isolation and punishment, restorative justice projects divert people charged with certain criminal matters away from the formal court process. This in turn helps lower the disproportionate number of Aboriginal people in the criminal justice system and returns the accountability and well-being of Aboriginal people to the community. Through its Native Programs Department, LSS was involved in developing these programs until part-way through the fiscal year when the project was transferred to the Native Community Law Offices Association of British Columbia (NCLOABC) (see A2.3 in the business plan report).

Service delivery support

Service delivery support is provided for community offices through the Client Services Department, and for private bar lawyers through the Tariff Department.

Client Services

The Client Services Department is responsible for community office intake and service delivery operations. The department develops intake, eligibility, and coverage policies with input from other head office departments and community offices, and monitors operations to ensure these policies are consistently applied throughout the province. Department managers directly supervise LSS branch offices and administer contracts with funded agencies such as CLOs, NCLOs, and area directors. The managers also support and monitor staff lawyer performance; engage in ongoing program evaluation, renewal, and development; and supervise the Family Case Management Program (FCMP).

Computerized time-keeping for criminal, family, poverty, and immigration staff lawyers and poverty paralegals allows the Society to accurately assess the staff cost of cases. It also provides staff with an effective tool for managing their workload.

Tariff Department

The Tariff Department processes approximately 2,375 private bar lawyer accounts each week. Department staff also answer billing questions from lawyers, give tariff rate approvals, develop tariff policy and application guidelines, and develop and maintain the *Guide to Legal Aid Tariffs* (which includes the appeals, criminal, family, human rights, immigration, and disbursement tariffs, as well as other material) (see Appendix 4).

Tariff accounts examiners and Audit and Investigation staff monitor billings from lawyers to ensure compliance with the *Guide to Legal Aid Tariffs* and ensure private bar lawyers acting for legal aid clients bill LSS appropriately for their services and disbursements. Audit and Investigation staff perform random audits of expensive cases, files showing unusual billing patterns, and other accounts, such as those of top-billing private bar lawyers.

In 2000 – 2001 account audits led to recovering $103,313 from lawyers for accounts billed in error.

Management and administration

Several departments at head office provide management and administration support.

Executive Office

The Executive Office supports the Board of Directors and board committees; reviews eligibility appeals (see Appendix 6); and provides overall direction and policy planning, and communications support. With advice from in-house counsel, it also manages all LSS responses to formal applications under the Freedom of Information and Protection of Privacy Act (see Appendix 7).

Finance and Administration

The Finance and Administration Department provides treasury functions; budgeting, financial control, and reporting; capital planning; payroll; accounting and banking; purchasing; office administration, facilities, and lease management; telephone, fax, and voice mail communications; and records management services for the whole of LSS. It co-ordinates space planning, renovations, and equipment purchases for branches and, on request, assists CLOs and NCLOs with these matters.

Human Resources

The Human Resources (HR) Department, in partnership with staff, managers, and supervisors, provides support services in recruitment, benefits administration, salary and classification, employee relations, training and development, strategic and organizational changes, HR information systems reporting, general HR program development and implementation (e.g., employee recognition and performance management), collective bargaining, employee contract administration, HR administrative policy and procedures application and administration, retirement planning, and succession planning.

Information Technology

The Information Technology Department, in partnership with staff and management at all legal aid offices, works to create and implement

business systems solutions for the Society. Specifically, the department is responsible for strategic planning to build sustainable computer systems and improve application development and support, and operations services.

Application development and support refers to the design, installation, deployment, and maintenance of key business applications. The primary application is the Case Management System (CMS), which supports the Society's intake, referrals, tariff processing, and other business functions. Other applications include WebTime (timekeeping) and JD Edwards (finances). The department is also responsible for developing a corporate-wide Intranet and Extranet, an enterprise reporting system, and an improved human resources and payroll application.

Operations services include desktop, LAN, WAN, and server support, database management, software installation and maintenance, e-mail administration, back-ups, and disaster recovery. A central support Helpdesk service provides technical help to staff.

Appendix 2: Coverage

Legal aid coverage is provided in most areas of law, as outlined in the following sections.

Criminal law

Under its mandate (see page 3), LSS must provide legal representation to financially eligible people charged with criminal offences who, if convicted —

- are likely to go to jail,
- might lose their means of earning a living, or
- could be deported from Canada.

Applicants may also receive legal representation if they —

- do not face imprisonment if convicted but have a mental or emotional disability that prevents them from defending themselves (for instance, if they cannot understand the nature or possible consequences of the proceedings, or they are unable to communicate effectively with counsel or the court); or
- are Aboriginal and their ability to follow a traditional livelihood of hunting and fishing could be affected if they are convicted of an offence.

Under the federal Young Offenders Act, anyone under 18 years of age charged with a federal offence has a legal right to a court order appointing a lawyer paid for by the state. Coverage must be provided regardless of financial eligibility or likelihood of imprisonment.

With special funding from the Ministry of Attorney General, LSS provides legal advice and representation to victims of or witnesses to crime in situations where the lawyer for the defence asks for disclosure of personal records (such as counselling records). A Criminal Code amendment (following the 1992 *Regina v. O'Connor* case) requires a judge to hear arguments about the relevance of the information sought and the effect of a disclosure on the victim of or witness to a crime. Applicants requesting representation in these matters do not have to be financially eligible to get a lawyer.

In 1999 – 2000, the Ministry of Attorney General implemented some of the new court rules recommended in the *Report of the Chief Judge: Delay and Backlog in the Provincial Court of British Columbia* (April 1998) and provided the Society with additional funds to establish a tariff for arraignment court processes. A $750,000 grant from the ministry in 2000 – 2001 allowed LSS to maintain this tariff to the end of the fiscal year. An increase to the Society's funding for 2001 – 2002, announced by the provincial government in March 2001, will enable LSS to continue providing this coverage.

Family law

In accordance with section 3 of the Legal Services Society Act (see page 3), LSS provides legal aid for family matters for financially eligible people who —

- have serious family problems — for example, if they or their children are at risk of abuse, or they may lose contact with their children;
- need help to start getting maintenance payments or custody of/access to their children and no other organization in their community can help them;
- face an immediate and substantial prospect of going to jail as a result of maintenance enforcement proceedings;
- have had (or are at risk of having) their children taken away by the Ministry for Children and Families; or
- require legal representation to deal with custody and access of a child in the care of the Ministry for Children and Families.

The Family Case Management Program (FCMP) allows the Society to assess cases at regular intervals after the initial referral. This helps to ensure that cases continue to meet coverage and eligibility guidelines, and that the actions being taken or proposed are ones reasonable people would expect if they were paying for their own lawyers. FCMP applies to all family matters except those under the Child, Family, and Community Service Act (CFCSA).

LSS provides limited coverage for variations in cases involving —

- a Supreme Court child maintenance order when there has been a significant change in circumstances and the difference in child support payments would be at least $100 per month, or
- a custody and access order when an existing relationship between a parent and child is in jeopardy.

Applicants with family problems may be referred to lawyers or, under certain circumstances, diverted to available alternative services in the community. Diversion to a family justice counsellor for dispute resolution services may occur where —

- there is no history of abuse, or
- interim orders are not immediately necessary to ensure the immediate safety of the applicant and/or his or her children, and
- the applicant agrees to be diverted. The applicant's agreement is not required if the only issue is obtaining an initial maintenance order.

If mediation succeeds, applicants diverted to family justice counsellors may return to LSS for independent legal advice before signing a consent order. If mediation is unsuccessful, applicants may return to LSS for further legal aid services. (see A6.1 in the business plan report).

Immigration and refugee law

Section 3 of the Legal Services Society Act (see page 3) guarantees legal aid for financially eligible people who face immigration proceedings that would result in their removal from Canada. Most immigration cases covered by legal aid are refugee matters.

LSS established the Immigration and Refugee Law Clinic as part of its Vancouver branch office in 1995. An immigration client eligible for legal aid may be represented either by clinic staff, which includes three lawyers and a paralegal, or a private bar lawyer. Staff speak a variety of languages.

LSS also provides an immigration duty counsel program, which provides legal representation to people in detention in Vancouver.

Other civil (poverty) law

Other civil law matters (also known as poverty law) include landlord/tenant disputes, Workers' Compensation claims, Canada Pension Plan issues, income assistance appeals, consumer protection issues, Employment Insurance appeals, foreclosures, and bankruptcies.

The most urgent civil law problems are given priority. These include matters that affect

applicants' ability to feed, clothe, and house themselves and/or their families (see page 3).

Generally, a plaintiff who may receive money as a result of a civil action is not covered by legal aid. For example, a plaintiff in a personal injury Insurance Corporation of British Columbia (ICBC) case will rarely qualify for legal aid.

Human rights law

The BC Human Rights Commission funds a human rights tariff administered by LSS, which applies only to issues the commission recognizes.

Clients making human rights complaints do not have to be financially eligible to receive legal aid. Respondents to complaints are given an income test to determine if they are financially eligible for legal aid, and must pay client contributions where applicable (see Appendix 5).

Judicial appeals

Judicial appeals include —

- appeals of lower court decisions made to the BC Supreme Court, the BC Court of Appeal, and the Supreme Court of Canada; and
- applications to judicially review decisions made by administrative boards or tribunals (for example, under the Immigration Act or the BC Benefits Act). These applications are made to the BC Supreme Court or the Federal Court Trial Division.

Applicants who are financially eligible for legal aid may be covered if they are responding to appeals initiated by another party. Otherwise, LSS funds only those appeals and judicial reviews that fall under the Society's regular coverage criteria and have a reasonable chance of success. The Appeals Department must approve all judicial appeals and all services to be provided in each case.

Managers of the Lower Mainland offices meet a few times annually to exchange information and discuss common issues. Around the table at the Spring 2000 meeting (left to right) are: Vikki Bell, Q.C. (Burnaby), Ann Pollak (Prisoners' Legal Services), Rob Fredrickson (Chilliwack), Cathie Duncan (New Westminster/Port Coquitlam), Tony Davies (Vancouver Intake Clinic), Wayne Robertson (Client Services Manager), and Stuart Alcock (New Westminster/Port Coquitlam). *Photograph by John Simpson.*

Prisoners' services

All offices provide services to financially eligible prisoners, ranging from summary advice to legal representation for family, immigration, and criminal matters. In addition, Prisoners' Legal Services in Abbotsford deals exclusively with prison and parole-related legal issues for the men and women incarcerated in prisons and penitentiaries from Vancouver to Agassiz.

Prisoners' program staff also give legal information and summary advice, make written submissions, and negotiate on behalf of clients. If all else fails, they litigate. Staff help prisoners with disciplinary hearings, parole hearings, involuntary transfers or solitary confinement placements, sentence calculations, involuntary treatment issues, assaults on prisoners, parole or statutory release conditions, and institutional interference with family visits and correspondence.

Staff are very experienced in prison law matters and have worked on hundreds of cases over the years to help improve conditions in BC prisons and penitentiaries.

Reciprocals

Provinces and territories in Canada provide the same level of civil and family legal aid coverage to people who live outside — but face legal proceedings within — their jurisdiction as they provide to their own residents. The inter-provincial reciprocal agreement, implemented by the Association of Legal Aid Plans of Canada, sets out the procedures for this coverage.

LSS community offices process requests by BC legal aid applicants for cases in other jurisdictions. Staff assess applicants' financial eligibility, gather all relevant documents, and refer those who are eligible to the appropriate provincial plan. The Vancouver Intake Clinic processes incoming reciprocals (from other provinces). Staff assess coverage and refer eligible applicants to lawyers in the communities where court actions are to take place.

Appendix 3: Public Legal Education and Information

"The Legal Services Society deserves the highest accolades for providing legal aid and legal education for British Columbia." – Larry R. Little, Chief Librarian, Penticton Public Library

Providing the public with legal education and information is an integral part of the LSS mandate (see page 3). Staff in community offices, the Legal Resource Centre, the Public Legal Education and Publishing Programs, and Native Programs Department offer a wide variety of services that increase and improve public access to — and involvement in — the law. Public legal education materials and activities fill a number of key needs, such as —

- giving staff updated legal information and resources to use in providing summary advice and legal representation services to the public;
- providing the public with information and/or self-help materials that can assist individuals with their legal problems without legal representation whenever possible and appropriate; and
- helping newcomers to the province gain access to legal information and legal aid services.

Publications

The Public Legal Education Program and the Native Programs Department update and co-ordinate the production of numerous legal self-help and information materials. The Publishing Program uses plain language editing and design expertise to produce PLE materials that help client groups identify, avoid, or resolve common legal problems. The program distributes these materials to legal aid offices, community groups, libraries, government agencies, and the public. Some publications are produced in Chinese, Farsi, French, Korean, Punjabi, Russian, Spanish, and Vietnamese where a need is perceived for such a translation. These materials are described in the *LSS Publications Catalogue*. In addition, the program maintains information about LSS and some PLE publications on the LSS Web site (http://www.vcn.bc.ca/lssbc/).

The Publishing Program produces the PLE Program's newsletter *Community Law Matters (CLM)*, a digest for community advocates who work in poverty law. *CLM* includes reports on recent cases, changes in legislation, and community organizing initiatives. The Publishing Program also produces the Legal Resource Centre's newsletter, the *LRC News and Supplement*, which informs librarians and community information workers about referral agencies, changes in the law, new publications, and old materials to be discarded.

In 2000 – 2001, 42 PLE materials — new, revised, and reprinted — were produced, along with 21 posters or brochures about legal aid

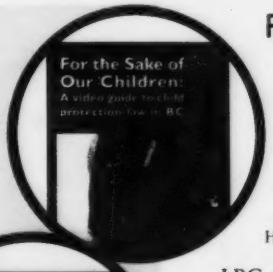
office services. The Publishing Program distributed 191,245 PLE items. Most of these were produced by LSS (162,091 were Public Legal Education Program publications, while 10,336 were Native Programs Department publications). The remainder of the publications distributed by LSS included 12,068 Tenants' Rights Action Coalition publications, 1,467 People's Law School publications, and 5,283 publications from other organizations.

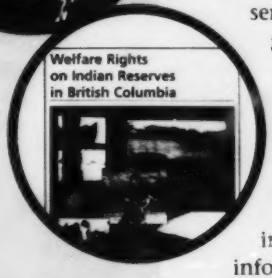
Award-winning publications

Once again, LSS staff were recognized with Communicator Awards for producing excellent PLE publications:

- **The video jacket of *For the Sake of Our Children: A Video Guide to Child Protection Law in BC* won a Crystal Award of Excellence — the highest level of recognition conferred — in the video/film/multi-media/other category;**
- **The *LSS Audio-Visual Library Catalogue 2000 – 2001* won an Award of Distinction in the catalogue category; and**
- ***Welfare Rights on Indian Reserves in British Columbia* won honourable mention in the brochure/educational category.**

The Communicator Awards were founded in the U.S. by communications professionals to recognize excellence in the communications field.





Legal Resource Centre

The Legal Resource Centre (LRC) is a law library for the public and legal aid staff. The library collection contains 13,000 volumes for reference use, including special collections of poverty law, native law, law and the disabled, legal literacy, legal aid, and legal education materials. The library also provides staff with access to electronic legal information materials. LRC services include the following:

Reference services

"We are increasingly busy and need your research expertise desperately. I commend the LRC on the work on my file. It was settled successfully and I plan to complete a paper based partially on the materials I received from you." – Linda Locke, Lawyer, Hazelton NCLO

LRC staff provide reference services to staff and public libraries. In 2000 – 2001, they responded to 1,344 specialized reference requests.

Law Line

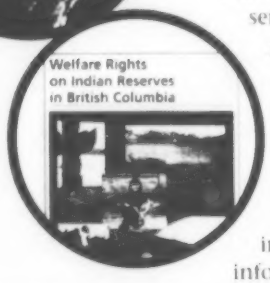
Law Line is a legal information telephone service provided by law librarians for the general public. In 2000 – 2001, Law Line personnel responded to 12,615 requests.

This year LSS initiated a pilot project in Bella Bella, Bella Coola, and the northern circuit communities to determine the feasibility of providing Law Line services to remote communities in BC. In addition to developing local information and referral resources and conducting local consultations and publicity, this work involved providing Law Line staff with training on Aboriginal law issues. If the pilot proves successful, the Society will have to determine whether it has the funds to expand this service permanently.

office services. The Publishing Program distributed 191,245 PLE items. Most of these were produced by LSS (162,091 were Public Legal Education Program publications, while 10,336 were Native Programs Department publications). The remainder of the publications distributed by LSS included 12,068 Tenants' Rights Action Coalition publications, 1,467 People's Law School publications, and 5,283 publications from other organizations.

Award-winning publications

Once again, LSS staff were recognized with Communicator Awards for producing excellent PLE publications:



- The video jacket of *For the Sake of Our Children: A Video Guide to Child Protection Law in BC* won a Crystal Award of Excellence — the highest level of recognition conferred — in the video/film/multi-media/other category;
- The *LSS Audio-Visual Library Catalogue 2000 – 2001* won an Award of Distinction in the catalogue category; and
- *Welfare Rights on Indian Reserves in British Columbia* won honourable mention in the brochure/educational category.

The Communicator Awards were founded in the U.S. by communications professionals to recognize excellence in the communications field.

Legal Resource Centre

The Legal Resource Centre (LRC) is a law library for the public and legal aid staff. The library collection contains 13,000 volumes for reference use, including special collections of poverty law, native law, law and the disabled, legal literacy, legal aid, and legal education materials. The library also provides staff with access to electronic legal information materials. LRC services include the following:

Reference services

"We are increasingly busy and need your research expertise desperately. I commend the LRC on the work on my file. It was settled successfully and I plan to complete a paper based partially on the materials I received from you." – Linda Locke, Lawyer, Hazelton NGO

LRC staff provide reference services to staff and public libraries. In 2000 – 2001, they responded to 1,344 specialized reference requests.

Law Line

Law Line is a legal information telephone service provided by law librarians for the general public. In 2000 – 2001, Law Line personnel responded to 12,615 requests.

This year LSS initiated a pilot project in Bella Bella, Bella Coola, and the northern circuit communities to determine the feasibility of providing Law Line services to remote communities in BC. In addition to developing local information and referral resources and conducting local consultations and publicity, this work involved providing Law Line staff with training on Aboriginal law issues. If the pilot proves successful, the Society will have to determine whether it has the funds to expand this service permanently.

Audio-visual collection

The LRC maintains a circulating audio-visual collection of BC law-related and educational materials. This year 900 items were circulated to community groups, schools, and colleges. In addition, the audio-visual booking system was automated to make it more efficient and to allow LRC staff to better analyze how the system is used.

Ron Rapin, former PLE Fieldworker (centre), was the first customer for the LRC's new automated audio-visual loan system. Also shown are Pam Clancy, the LRC's A-V Librarian (left) and Nancy Hannum, LRC Manager/Chief Librarian. *Photograph by Roberta Wong.*

Community worker Maria Jose Mascayano at the Multilingual Legal Information Fair held in Vancouver on November 4, 2000. Sponsored by the Latin American Community Council, the fair was supported by a small grant from the LSS PLE Program.

Public library grants

Public libraries can apply to the LRC for funding to purchase legal materials. In 2000 – 2001, these grants serviced 67 libraries/library systems.

Workshops

The LRC sponsors a legal materials/information and reference training program. In 2000 – 2001, the centre provided or participated in 17 workshops for 535 librarians, LSS staff, and community organizations.

Electronic Law Library

The Electronic Law Library (ELL) maintained by the LRC provides basic links to reliable legal information sites for the general public (http://www.bcpl.gov.bc.ca/ell). These include statute, court, and government sites, as well as other sites that contain information on topics ranging from Aboriginal law to young offenders. ELL is also a major resource for LSS staff, community advocacy groups, and libraries throughout the province. Use of this site is high, averaging 11,250 hits per month in 2000 – 2001.

Small grants

LSS supports community participation in public legal education by providing small grants to help organizations across the province develop projects, workshops, and materials that explain the law and the legal system to the public.

Native Programs Department project grants

The Native Programs Department funded 25 PLE projects and 5 community development initiatives in 2000 – 2001. Organizations receiving grants included First Nations bands, friendship centres, Métis groups, native courtworkers, community service agencies, and an NCLO.

Public Legal Education Program project grants

The Public Legal Education Program funded 46 groups to carry out 48 projects this year. The program helped another 35 groups complete projects started in previous years. One third of these projects focused on building advocacy skills for community workers or self-advocates working on various poverty law matters ranging from income assistance, housing, and immigration issues to disability benefits and child protection. Another third of these projects helped immigrant and refugee communities understand the law, while the remaining third provided legal information on family and poverty law topics through lectures or print materials.

Community office public legal education

Across the province, staff provide a wide range of public legal education services for their communities and work with other local agencies to improve public access to and understanding of the law. These services include —

- providing general legal information in newspaper columns and on television programs,
- training lay advocates,
- speaking about the law to schools, colleges, and community groups,
- co-sponsoring conferences and giving workshops on various aspects of the law, and
- offering free information and intake clinics in communities where there are no legal aid offices.

Office staff are also involved in a variety of community development and law reform activities that can provide direct benefits to a class of clients or improve client access to the legal system. Such work can reduce the need for individual representation or improve the overall functioning of the justice system.

Appendix 4: Tariffs

Private bar lawyers who represent legal aid clients in criminal, family, CFCSA, human rights, immigration and refugee, and judicial appeals matters are paid according to a schedule of fees known as the tariffs. These fees are established by LSS in consultation with the tariff committees representing the private bar.

The criminal tariff is based on block fees (before holdbacks, see page 44), which represent the average amount of time required for a proceeding. Block fees are generally based on court appearances and are meant to include all other related services that are not billable. The other tariffs are generally $80 per billable hour (before holdbacks) up to specified maximums for most work. The family and immigration tariff fees pay for actual time spent in court (except for immigration detention hearings or reviews, which are paid on a block fee basis).

Because of the serious budget impact of large and unpredictable (usually criminal) cases, current LSS policy is to terminate a client's coverage when the legal aid fees paid or billable reach $50,000. In February 2001 the Society decided to cap disbursements costs at $50,000 as well. Once either the fees or disbursements for a case reach $50,000, legal aid is terminated.

The BC Human Rights Commission reimburses LSS the cost of the human rights tariff for BC Human Rights Act matters, and pays the Society an administrative fee for processing accounts.

There is no tariff for other civil (poverty) law services. Staff lawyers or paralegals, under staff lawyer supervision, do most of this work. Some matters are referred to the private bar on a pro bono basis. In such instances, LSS pays the lawyers for approved disbursements.

A panel of private bar lawyers with expertise in various areas of law provides staff with advice and assistance in assessing requests for extra fees and disbursements.

Holdbacks

Tariff holdbacks are amounts deducted from accounts at the time of payment. At the end of each fiscal year, the Board of Directors determines whether any money is available in the tariff budgets to repay any portion of these amounts (see the Financial Report on page 22).

The holdbacks are 10% for family, criminal, criminal appeals, duty counsel, and immigration cases, and 5% for family and immigration appeals.

Appendix 5: Financial Eligibility and Client Contributions

Anyone whose net household income and assets are below set limits is financially eligible for legal aid. Intake workers assess applicants' financial status to determine their net household income and assets. Some income sources, such as the Child Tax Benefit, are excluded from total net income, and some expenses, such as daycare costs, are deducted.

Applicants whose income is below the guidelines may own some assets and still be eligible for legal aid. There are five asset categories: family home, real property (except the family home), vehicles, business assets, and personal property. Each category has different limits, but generally applicants may still qualify for legal aid if they have some personal property (e.g., reasonable household furnishings), a small amount of liquid assets (e.g., cash, bank accounts), and equity of $5,000 or less in vehicle(s).

As a condition of receiving a legal aid referral, clients must agree to repay some or all of their legal aid costs if their financial situation improves and, on reassessment of their eligibility, the Society asks them to do so.

Applicants whose income and assets are above the financial eligibility limits can still receive legal information and summary advice.

There are two maximum income levels: one for criminal matters and one for all other matters. These different levels were introduced with the eligibility cuts in 1997 in response to concerns that the cuts would affect women more severely than men. The Income/Asset guidelines chart (below) sets out the LSS income and personal property asset guidelines that were in effect throughout 2000 – 2001.

Income			Assets
Household size	Criminal cases (includes Appeals)	All other cases (includes Appeals)	Personal property exemption (all cases)
1	$ 925	$ 1,002	$ 2,000
2	1,388	1,504	4,000
3	1,620	1,755	4,500
4	1,792	1,941	5,000
5	1,975	2,140	5,500
6	2,147	2,326	6,000
7 or more	$ 2,294	$ 2,486	$ 6,000

Applicants whose net household income exceeds the guidelines by up to $150 are eligible for limited legal aid if they face —

- an emergency family problem, or
- a Child, Family, and Community Service Act (CFCSA) matter.

Financial eligibility reassessments

Financial eligibility may be reassessed from time to time to determine if a client is still financially eligible for legal aid. If the client is no longer eligible, legal aid is terminated and the individual must pay for a lawyer privately. Such reassessments normally occur —

- if the client's financial circumstances have changed during the course of a referral,
- if LSS becomes aware of assets, income, or family relationships that the client did not reveal during intake,
- when a new case is opened,
- when a change of lawyer is processed,
- at the request of the Family Case Management Program (for family cases),
- as a result of a complaint about the client's financial eligibility, or
- on a random basis for auditing purposes.

A legal aid client's financial eligibility is always reassessed if he or she receives assets or money. In such cases, LSS calculates the total amount received and determines whether to convert the legal aid referral to a private fee retainer in order to collect a payment from the client.

There is a basic exemption of $10,000 in assets or money received to cover basic needs, including housing. The maximum a client could be asked to pay toward legal expenses is 50% of the amount received after deducting this exemption.

The amount received in recoveries from clients in 2000 – 2001 was $488,700.

Client contributions

Applicants whose household income after deductions falls within the LSS contribution guidelines must pay a contribution ranging from $25 to $100 before they can be referred to a lawyer or staff paralegal. With some important exceptions — for example, a client with emergency family problems — the contribution must be paid in full before staff can refer the applicant to a lawyer.

Income from client contributions for 2000 – 2001 was $285,357.

Household size	Monthly income after deductions				
1	$ 0 – 644	$ 645 – 678	$ 679 – 775	$ 776 – 872	over $ 872
2	0 – 923	924 – 972	973 – 1,111	1,112 – 1,250	over 1,250
3	0 – 1,129	1,130 – 1,189	1,190 – 1,359	1,360 – 1,529	over 1,529
4	0 – 1,283	1,284 – 1,350	1,351 – 1,543	1,544 – 1,736	over 1,736
5	0 – 1,396	1,397 – 1,469	1,470 – 1,679	1,680 – 1,889	over 1,889
6	0 – 1,489	1,490 – 1,567	1,568 – 1,791	1,792 – 2,015	over 2,015
7 or more	0 – 1,584	1,585 – 1,665	1,666 – 1,903	1,904 – 2,141	over 2,141
Contribution	None	$ 25.00	$ 50.00	$ 75.00	$ 100.00

Holdbacks

Tariff holdbacks are amounts deducted from accounts at the time of payment. At the end of each fiscal year, the Board of Directors determines whether any money is available in the tariff budgets to repay any portion of these amounts (see the Financial Report on page 22).

The holdbacks are 10% for family, criminal, criminal appeals, duty counsel, and immigration cases, and 5% for family and immigration appeals.

Appendix 5: Financial Eligibility and Client Contributions

Anyone whose net household income and assets are below set limits is financially eligible for legal aid. Intake workers assess applicants' financial status to determine their net household income and assets. Some income sources, such as the Child Tax Benefit, are excluded from total net income, and some expenses, such as daycare costs, are deducted.

Applicants whose income is below the guidelines may own some assets and still be eligible for legal aid. There are five asset categories: family home, real property (except the family home), vehicles, business assets, and personal property. Each category has different limits, but generally applicants may still qualify for legal aid if they have some personal property (e.g., reasonable household furnishings), a small amount of liquid assets (e.g., cash, bank accounts), and equity of $5,000 or less in vehicle(s).

As a condition of receiving a legal aid referral, clients must agree to repay some or all of their legal aid costs if their financial situation improves and, on reassessment of their eligibility, the Society asks them to do so.

Applicants whose income and assets are above the financial eligibility limits can still receive legal information and summary advice.

There are two maximum income levels: one for criminal matters and one for all other matters. These different levels were introduced with the eligibility cuts in 1997 in response to concerns that the cuts would affect women more severely than men. The Income/Asset guidelines chart (below) sets out the LSS income and personal property asset guidelines that were in effect throughout 2000 – 2001.

Income/Asset guidelines (effective April 1, 2000)

Income			Assets
Household size	Criminal cases (includes Appeals)	All other cases (includes Appeals)	Personal property exemption (all cases)
1	$ 925	$ 1,002	$ 2,000
2	1,388	1,504	4,000
3	1,620	1,755	4,500
4	1,792	1,941	5,000
5	1,975	2,140	5,500
6	2,147	2,326	6,000
7 or more	$ 2,294	$ 2,486	$ 6,000

Applicants whose net household income exceeds the guidelines by up to $150 are eligible for limited legal aid if they face —

- an emergency family problem, or
- a Child, Family, and Community Service Act (CFCSA) matter.

Financial eligibility reassessments

Financial eligibility may be reassessed from time to time to determine if a client is still financially eligible for legal aid. If the client is no longer eligible, legal aid is terminated and the individual must pay for a lawyer privately. Such reassessments normally occur —

- if the client's financial circumstances have changed during the course of a referral,
- if LSS becomes aware of assets, income, or family relationships that the client did not reveal during intake,
- when a new case is opened,
- when a change of lawyer is processed,
- at the request of the Family Case Management Program (for family cases),
- as a result of a complaint about the client's financial eligibility, or
- on a random basis for auditing purposes.

A legal aid client's financial eligibility is always reassessed if he or she receives assets or money. In such cases, LSS calculates the total amount received and determines whether to convert the legal aid referral to a private fee retainer in order to collect a payment from the client.

There is a basic exemption of $10,000 in assets or money received to cover basic needs, including housing. The maximum a client could be asked to pay toward legal expenses is 50% of the amount received after deducting this exemption.

The amount received in recoveries from clients in 2000 – 2001 was $488,700.

Client contributions

Applicants whose household income after deductions falls within the LSS contribution guidelines must pay a contribution ranging from $25 to $100 before they can be referred to a lawyer or staff paralegal. With some important exceptions — for example, a client with emergency family problems — the contribution must be paid in full before staff can refer the applicant to a lawyer.

Income from client contributions for 2000 – 2001 was $285,357.

Client contributions by monthly income level after deductions

Household size	Monthly income after deductions				
1	$ 0 – 644	$ 645 – 678	$ 679 – 775	$ 776 – 872	over $ 872
2	0 – 923	924 – 972	973 – 1,111	1,112 – 1,250	over 1,250
3	0 – 1,129	1,130 – 1,189	1,190 – 1,359	1,360 – 1,529	over 1,529
4	0 – 1,283	1,284 – 1,350	1,351 – 1,543	1,544 – 1,736	over 1,736
5	0 – 1,396	1,397 – 1,469	1,470 – 1,679	1,680 – 1,889	over 1,889
6	0 – 1,489	1,490 – 1,567	1,568 – 1,791	1,792 – 2,015	over 2,015
7 or more	0 – 1,584	1,585 – 1,665	1,666 – 1,903	1,904 – 2,141	over 2,141
Contribution	**None**	**$ 25.00**	**$ 50.00**	**$ 75.00**	**$ 100.00**

Appendix 6: Coverage and Eligibility Reviews

Applicants who are refused legal aid have the right to have that decision reviewed. They must request an appeal of the refusal within 21 days of receiving the decision. This right extends to many other decisions that affect applicants and clients, such as financial eligibility reassessments. The Chief Executive Officer or his or her designate makes final decisions on reviews.

LSS has the right to refuse to provide legal aid. This can happen if the intake worker believes an applicant is not financially eligible, has a problem that does not fall under the Society's coverage rules, or has not provided sufficient information to satisfy LSS that he or she is eligible for legal aid.

In 2000 – 2001, LSS received 836 requests for coverage and eligibility reviews. Of these, 25 were approved, 792 were refused, and 11 were abandoned (i.e., the matter was returned to the referring office to consider additional information or issues, or the applicant resolved the matter by other means). At year-end, 8 requests were pending decisions.

Appendix 7: Client Confidentiality

All information an applicant or client gives to LSS is subject to solicitor-client privilege. LSS cannot disclose that information to any third party without the applicant or client's explicit approval. Solicitor-client privilege is protected under section 12 of the Legal Services Society Act and section 14 of the Freedom of Information and Protection of Privacy Act (FOIPPA).

Freedom of information

As a public agency, LSS is covered by the FOIPPA. LSS makes every effort to give applicants, clients, and the general public access to information they are entitled to have, while protecting personal privacy.

In 2000 – 2001, LSS received 16 requests for information under the FOIPPA. Of these, 8 were from clients, 4 were from other individuals, 2 were from lawyers, and 2 were from an interest group. Information was denied to 3 applicants, fully disclosed to 1, and partially disclosed to the rest. The most common reasons for LSS denying access to all or some records are that releasing the information would harm a third party's personal privacy and/or the requested information is protected by solicitor-client privilege.

Three requests remained open as of March 31, 2001, one of which was pending an applicant's request for a review of the Society's decision.

Another file was held over from 1999 pending judicial review. The judicial review was decided in the Society's favour on February 2, 2001; the applicant and the Office of the Information and Privacy Commissioner filed a Notice of Appeal from this decision in March.

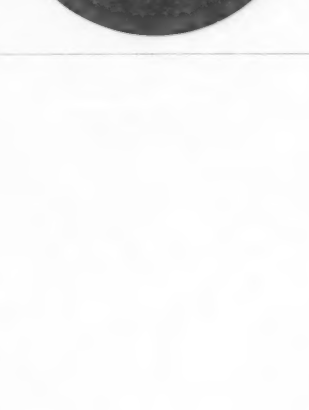
This matter concerned a request received from the media in January 1999, asking LSS to name the five lawyers who billed the most for criminal cases and the five lawyers who billed the most for immigration cases over an eight-month period in the previous year. LSS released the amounts billed but withheld the lawyers' names based on a number of concerns, including the fact that releasing this information could violate solicitor-client privilege (section 14 of the FOIPPA). On review, the Information and Privacy Commissioner ruled in July 1999 that LSS should release the names. LSS requested a judicial review of this ruling. In his decision, the Honourable Mr. Justice Scarth (BC Supreme Court, docket A992300) found that the commissioner had erred in law in his application of section 14. The commissioner's ruling (322-1999) was set aside.

Appendix 8: Complaints

Anyone can complain to LSS about issues ranging from possible abuse of legal aid or lack of wheelchair access at a community office, to the quality of a lawyer's service. LSS forwards complaints to the appropriate office or department for investigation. Decisions are reviewed to maintain consistent investigations throughout the province.

In 2000 – 2001, LSS received complaints that claimed 440 individuals were improperly receiving legal aid. The following chart shows the outcome of investigations into those complaints.

Complaints



- Open, investigation continuing 153
- Complaint unfounded/coverage continued 137
- Coverage terminated or case converted to private retainer 119
- Complaint received after case concluded or substantially completed 19
- Complaint about a non-LSS client (file kept open for six months in case individual applies later) 12

Appendix 9: Application and Referral Statistics

Demand for legal aid: All areas of law

In 2000 – 2001, 89.1 (full-time equivalent) staff lawyers, 58.4 (full-time equivalent) paralegals/legal information counsellors, and 1,369 private bar lawyers provided legal representation to eligible clients with serious criminal, family, immigration, human rights, and other civil (poverty) law problems. Private bar lawyers handled 76.9% of these referrals.

LSS staff also handled close to 34,000 matters that did not result in legal aid referrals to lawyers. For these problems, individuals were diverted to alternative service providers or given summary legal advice and/or legal information to help them (see intake case total plus information/summary advice total, below).

	2000 – 2001			1999 – 2000		
Type of legal problem	**Applications**	**Referrals**	**Information/ summary advice, etc.**	**Applications**	**Referrals**	**Information/ summary advice, etc.**
Criminal	35,713	25,845	3,865	38,409	27,479	2,899
Family/CFCSA	25,217	15,526	5,019	24,386	13,828	4,253
Immigration	3,559	3,046	65	4,667	3,949	34
Human rights	202	148	23	233	176	15
Other civil (poverty)	9,383	5,948	2,142	9,704	6,102	2,123
Intake case [1]	22,806	n/a	n/a	21,136	n/a	n/a
Total	**96,880**	**50,513**	**11,114**	**98,535**	**51,534**	**9,324**
	2000 – 2001 figures based on data run in May 2001			1999 – 2000 figures based on data run in May 2000		

[1] An intake case is a record of assistance provided to an individual seeking help with an "other civil" (poverty) law problem that requires only brief service, or a legal problem that is not covered by the tariffs (e.g., in criminal or family law). An intake case involves up to two hours of summary legal advice and/or information; it is not a formal application for legal aid, and the applicant does not have to be financially eligible to receive this help.

Appendix 9: Application and Referral Statistics

Demand for legal aid: All areas of law

In 2000 – 2001, 89.1 (full-time equivalent) staff lawyers, 58.4 (full-time equivalent) paralegals/legal information counsellors, and 1,369 private bar lawyers provided legal representation to eligible clients with serious criminal, family, immigration, human rights, and other civil (poverty) law problems. Private bar lawyers handled 76.9% of these referrals.

LSS staff also handled close to 34,000 matters that did not result in legal aid referrals to lawyers. For these problems, individuals were diverted to alternative service providers or given summary legal advice and/or legal information to help them (see intake case total plus information/summary advice total, below).

	2000 – 2001			1999 – 2000		
Type of legal problem	**Applications**	**Referrals**	**Information/ summary advice, etc.**	**Applications**	**Referrals**	**Information/ summary advice, etc.**
Criminal	35,713	25,845	3,865	38,409	27,479	2,899
Family/CFCSA	25,217	15,526	5,019	24,386	13,828	4,253
Immigration	3,559	3,046	65	4,667	3,949	34
Human rights	202	148	23	233	176	15
Other civil (poverty)	9,383	5,948	2,142	9,704	6,102	2,123
Intake case [1]	22,806	n/a	n/a	21,136	n/a	n/a
Total	**96,880**	**50,513**	**11,114**	**98,535**	**51,534**	**9,324**
	2000 – 2001 figures based on data run in May 2001			1999 – 2000 figures based on data run in May 2000		

[1] An intake case is a record of assistance provided to an individual seeking help with an "other civil" (poverty) law problem that requires only brief service, or a legal problem that is not covered by the tariffs (e.g., in criminal or family law). An intake case involves up to two hours of summary legal advice and/or information; it is not a formal application for legal aid, and the applicant does not have to be financially eligible to receive this help.

Totals cases by issue type 2000 – 2001

Issue	Number	%	Issue	Number	%
Family: Non-tariff	4,370	19.2	Prisoners' law	379	1.7
Administration [1]	3,608	15.8	Mental health and adult guardianship	318	1.4
Criminal: Non-tariff	2,819	12.4	Workers' Compensation	292	1.3
BC Benefits	1,495	6.6	Immigration: Non-tariff	231	1.0
Income tax and GST	1,325	5.8	Criminal injury compensation and victim assistance	207	0.9
Debt and collections	1,315	5.8	Employment Insurance	206	0.9
Housing	1,166	5.1	Bankruptcy	179	0.8
Wills/Estates	665	2.9	Native rights	177	0.8
Notarizing	648	2.8	Human rights: Non-tariff	160	0.7
Contract/Consumer	606	2.7	Professional services complaints	111	0.5
Torts/Negligence	534	2.3	Insurance	102	0.4
Employment	488	2.1	Other	530	2.3
Canada Pension Plan/Old Age Security	465	2.0	**Total**	**22,806**	
ICBC	410	1.8			

[1] Administration refers to a variety of services ranging from providing potential applicants with information about legal aid or recording a change of counsel in a file, to swearing an affidavit for a client whose file was opened at another office.

Demand for legal aid: Criminal matters 2000 – 2001

In 2000 – 2001, 51.2% of legal aid referrals were for criminal matters, down from 53.3% the previous year.

Region [1]	Total applications	Adult referrals		YOA referrals		Total referrals	Information/ summary advice, etc.
		Staff lawyers	Private bar lawyers	Staff lawyers	Private bar lawyers		
Lower Mainland/ Fraser Valley	18,742	2,026	8,835	880	1,503	13,244	2,393
Vancouver Island	6,876	352	3,118	113	1,166	4,749	726
Southern Interior	5,054	353	2,752	115	708	3,928	495
Northern BC	5,041	299	2,819	122	684	3,924	251
Total	**35,713**	**3,030**	**17,524**	**1,230**	**4,061**	**25,845**	**3,865**

[1] See page 54 for a list of offices by region.

Criminal cases by most serious charge 2000 – 2001[1]

Charge Category [2]	Adult referrals		YOA referrals		Total referrals	%
	Staff lawyers	Private bar lawyers	Staff lawyers	Private bar lawyers		
Category 1	462	1,805	202	646	3,115	12.1
Category 2	1,127	5,781	502	1,718	9,128	35.3
Category 3	1,414	9,380	510	1,646	12,950	50.1
Category 4	27	558	16	51	652	2.5
Total	**3,030**	**17,524**	**1,230**	**4,061**	**25,845**	

[1] Only one charge (the most serious) for each case is included in this chart.

[2] Category 1 includes the least serious offences, such as breach of probation, motor vehicle offences (e.g., driving while suspended), or escapes. Category 2 includes most summary or hybrid offences, such as simple assault, more serious driving offences (e.g., dangerous driving), or theft under $5,000. Category 3 includes most indictable offences, such as more serious assault, breaking and entering, dangerous or impaired driving causing death or bodily harm, or criminal negligence. Category 4 includes the most serious offences, such as murder, kidnapping, or sexual assault with a weapon or causing bodily harm.

Demand for legal aid: Family matters 2000 – 2001

In 2000 – 2001, 30.7% of legal aid referrals were for family matters, up from 26.8% the previous year.

Region [1]	Total applications	Family referrals		Child protection (CFCSA) referrals		Total referrals	Information/ summary advice, etc.
		Staff lawyers	Private bar lawyers	Staff lawyers	Private bar lawyers		
Lower Mainland/ Fraser Valley	9,872	697	3,958	196	1,144	5,995	2,164
Vancouver Island	6,478	112	2,876	16	770	3,774	1,636
Southern Interior	4,996	42	2,806	4	596	3,448	731
Northern BC	3,871	311	1,382	113	503	2,309	488
Total	**25,217**	**1,162**	**11,022**	**329**	**3,013**	**15,526**	**5,019**

[1] See page 54 for a list of offices by region.

Family cases by issue type 2000 – 2001

Issue	Referrals	%	Issue	Referrals	%
Access/Custody	10,100	40.9	Spousal maintenance	2,422	9.8
Child maintenance	6,392	25.9	Maintenance enforcement	266	1.1
Family violence	2,844	11.5	Other	127	0.5
Property division [1]	2,523	10.2	**Total** [2]	**24,674**	

[1] Property division is rarely covered if it is the sole issue faced by the client. The exception to this is if the property is the family home and the client is not married to the opposing party, is not registered on the title, and has a minimum of $5,000 interest in the home.

[2] The total will be higher than the total number of family referrals in the Demand for Legal Aid chart (above) because applications often include more than one issue.

CFCSA cases by issue type 2000 – 2001

Issue	Referrals	%	Issue	Referrals	%
Removal	2,332	67.8	Review of agreements	131	3.8
Custody	383	11.1	Other (including appeals)	416	12.1
Access	175	5.1	**Total** [1]	**3,437**	

[1] The total will be higher than the total number of CFCSA referrals in the Demand for Legal Aid chart on page 50 because applications can include more than one issue.

Demand for legal aid: Immigration and refugee law matters 2000 – 2001

In 2000 – 2001, 6.0% of legal aid referrals were for immigration and refugee matters, down from 7.7% the previous year.

Region [1]	Total applications	Referrals Staff lawyers	Private bar lawyers	Total referrals	Information/ summary advice, etc.
Lower Mainland/ Fraser Valley	3,434	260	2,699	2,959	42
Vancouver Island	78	2	55	57	18
Southern Interior	32	11	11	22	4
Northern BC	15	4	4	8	1
Total	**3,559**	**277**	**2,769**	**3,046**	**65**

[1] See page 54 for a list of offices by region.

Immigration/refugee cases by country of origin 2000 – 2001

Country	Referrals (including appeals)	%	Country	Referrals (including appeals)	%
China	442	14.5	Colombia	64	2.1
Mexico	367	12.0	Russia	59	1.9
Honduras	236	7.7	Vietnam	59	1.9
Iran	212	7.0	India	54	1.8
Hungary	164	5.4	Sri Lanka	46	1.5
United States	118	3.9	Romania	44	1.4
Fiji	100	3.3	Pakistan	42	1.4
El Salvador	90	3.0	Other	881	28.9
Guatemala	68	2.2	**Total**	**3,046**	

Demand for legal aid: Other civil (poverty) law matters 2000 – 2001

In 2000 – 2001, 11.8% of legal aid referrals were for other civil (poverty) law matters, unchanged from the previous year.

Region [1]	Total applications	Referrals Staff lawyers	Paralegals	Private bar lawyers	Total referrals	Information/ summary advice, etc.
Lower Mainland/ Fraser Valley	4,072	736	2,154	132	3,022	688
Vancouver Island	2,856	272	852	59	1,183	1,150
Southern Interior	1,190	416	394	81	891	142
Northern BC	1,265	235	584	33	852	162
Total	**9,383**	**1,659**	**3,984**	**305**	**5,948**	**2,142**

[1] See page 54 for a list of offices by region.

Other civil law cases by issue type 2000 – 2001

Issue	Referrals	%	Issue	Referrals	%
BC Benefits	1,816	25.9	Torts/Negligence	213	3.0
Housing	713	10.2	Employment Insurance	192	2.7
Disciplinary charge [1]	466	6.7	Family: Non-tariff	167	2.4
Debt and collections	440	6.3	Parole suspension/revocation [1]	133	1.9
Workers' Compensation	250	3.6	Administrative segregation [1]	130	1.9
Referrals [1]	229	3.3	Wills/Estates	126	1.8
Canada Pension Plan/ Old Age Security	224	3.2	Employment	119	1.7
Mental health and adult guardianship	214	3.1	Other	1,574	22.5
			Total [2]	**7,006**	

[1] Prisoners' issues.
[2] The total will be higher than the total number of referrals in the Demand for Legal Aid chart (above) because applications can include more than one issue.

Demand for legal aid: Human rights matters 2000 – 2001

In 2000 – 2001, 0.3% of legal aid referrals were for human rights matters, unchanged from the previous year.

Region [1]	Total applications	Referrals Staff lawyers	Private bar lawyers	Total referrals	Information/ summary advice, etc.
Lower Mainland/ Fraser Valley	115	0	88	88	7
Vancouver Island	51	0	33	33	14
Southern Interior	22	0	20	20	1
Northern BC	14	1	6	7	1
Total	**202**	**1**	**147**	**148**	**23**

[1] See page 54 for a list of offices by region.

Demand for legal aid: Judicial appeals 2000 – 2001

Area of law	Total applications	Referrals Staff lawyers	Private bar lawyers	Total referrals	Information/ summary advice, etc.
Criminal	855	26	372	398	0
Family/CFCSA	221	10	92	102	7
Immigration [1]	1,117	JR: 21 AS: 62	JR: 199 AS: 461	JR: 220 AS: 523	6
Human rights	15	0	8	8	0
Other civil (poverty)	43	4	6	10	2
Total	**2,251**	**123**	**1,138**	**1,261**	**15**

These figures are included in the previous "Demand for legal aid" tables.

[1] There are two kinds of immigration referrals: JR = a referral for a judicial review, where a formal hearing is held in federal court. Applications must pass a merit test before these referrals are issued. AS = a referral for ancillary services, which entails submissions to the Minister of Immigration under sections 9, 53, and 70(5) of the Immigration Act, and section 2 of the Regulations (no formal hearing is held). These applicants would have been denied a referral for judicial review. Referrals for ancillary services are not subject to a merit test. Ancillary services include, for example, submissions to the minister to allow an applicant to remain in Canada for humanitarian and compassionate reasons.

Demand for legal aid: Reciprocals 2000 – 2001

Province	Outgoing				Incoming			
	Applied	Referred	Pending	Refused	Applied	Referred	Pending	Refused
Alberta	244	168	6	70	140	105	5	30
Manitoba	57	37	0	20	40	35	1	4
New Brunswick	3	1	0	2	1	1	0	0
Newfoundland	5	3	0	2	3	2	0	1
Northwest Territories	6	4	0	2	1	0	0	1
Nova Scotia	18	14	2	2	9	7	0	2
Nunavut	0	0	0	0	0	0	0	0
Ontario	137	96	2	39	51	37	2	12
Prince Edward Island	0	0	0	0	0	0	0	0
Quebec	33	21	3	9	12	8	0	4
Saskatchewan	46	35	2	9	38	29	3	6
Yukon Territory	10	3	0	7	5	3	1	1
Other	6	4	0	2	8	8	0	0
Total	**565**	**386**	**15**	**164**	**308**	**235**	**12**	**61**

Legal Aid Offices by Region

Legend:
AD = Area Director
BO = Branch Office
CLO = Community Law Office
HO = Head Office
NCLO = Native Community Law Office

Check the telephone book for current addresses and phone numbers. Offices are listed under "Legal Aid — Legal Services Society" in the white pages and in the "Lawyers" section of the Telus (yellow) pages.

Lower Mainland/Fraser Valley

Prisoners' Legal Services (Abbotsford BO)
Abbotsford Community Legal Services Society (CLO)
Burnaby (BO)
Chilliwack (BO)
Langley Legal Assistance Centre (CLO)
Ridge Meadows Community Law Office (Maple Ridge CLO)
Westminster Community Legal Services Society (New Westminster & Port Coquitlam CLOs)
North Shore Community Resources (CLO)
Robert Parsonage (Richmond AD)
James K. Flemming (Sechelt AD)
Brian N. Hughes (Squamish AD)
Surrey (BO)
Vancouver (BO)
Vancouver Aboriginal Law Centre (BO)
Vancouver (HO)

Southern Interior

Kootenay Community Law Centre (Cranbrook CLO)
Ron Bentley (Fernie AD)
Glen Ewan Q.C. (Golden AD)
Deanna Ludowicz (Grand Forks AD)
Barnim Kluge (Invermere AD)
Kamloops (BO)
Tom Humphries (Kaslo AD)
Kelowna (BO)
Stl'atl'imx/Nlha'7kapmx Legal Services (Lillooet & Lytton NCLOs)
Nicola Valley Native Community Law Society (Merritt NCLO)
Nelson (BO)
Penticton Community Law Office (CLO)
Robert A. Lundberg (Revelstoke AD)
Garret N. Wynne (Salmon Arm AD)
North Okanagan Community Law Office (Vernon CLO)

Vancouver Island

Alert Bay (Campbell River satellite office)
Campbell River (BO)
Courtenay (BO)
Duncan Community Law Office (NCLO)
David P. O'Connor (Ladysmith AD)
Doug Traill Memorial Law Centre (Nanaimo CLO)
Barbara M. Smith (Port Alberni AD)
Port Alberni Friendship Centre (NCLO)
Port Hardy (Campbell River satellite office)
Powell River Legal Services (CLO)
James P. Roth (Ucluelet AD)
The Law Centre (Victoria CLO)

Northern BC

Burns Lake Yinkadinee' Keyakh Law Centre Society (NCLO)
Glenn A. P. Stasiuk (Chetwynd AD)
Dawson Creek (BO)
Fort Nelson Legal Information Services (CLO)
Dene Law Centre Society (Fort St. James NCLO)
Fort St. John (BO)
Fort St. John Friendship Society (NCLO)
Upper Skeena Counselling & Legal Assistance Society (Hazelton NCLO)
Haida Gwaii Legal Society (Masset & Skidegate NCLOs)
Nisga'a Community Law Office (New Aiyansh NCLO)
Prince George (BO)
Carrier Sekani Family Services (Prince George NCLO)
Prince Rupert (BO)
Community Law Centre (Quesnel CLO)
Smithers (BO)
L'ax Ghels Community Law Centre Society (Terrace NCLO)
Williams Lake (BO)

Map of Legal Aid Offices

Note: Alert Bay is on Cormorant Island, just south of Sointula Island and east of Vancouver Island

March 2001